

Title 212 WAC

STATE PATROL

(FIRE PROTECTION)

Chapters

212-02	Description of fire marshal's office— Organization, operations, obtaining information.	212-14-045
212-10	Smoke detection devices in dwelling units.	
212-12	Fire marshal standards.	212-14-050
212-17	Fireworks.	
212-44	Child birth centers—Standards for fire protection.	
212-50	Identification for alternative fuel source motor vehicles.	212-14-055
212-51	Standards for above-ground used oil tanks.	
212-75	Posting premises protected by guard ani- mals.	212-14-060
212-80	Fire sprinkler system contractors.	212-14-070

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

	Chapter 212-08	212-14-080
	PRACTICE AND PROCEDURE	
212-08-005,	through 212-08-590 [Rule .08.10 through .08.590, filed 3/22/60.] Repealed by Order FMR 68-2, filed 6/12/68, effective 7/11/68.	212-14-090

Chapter 212-14 FIRE PROTECTION SYSTEMS AND EQUIPMENT

212-14-001	Application, protective signaling systems. [Order FM-77-5, § 212-14-001, filed 12/12/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-14-100
212-14-005	Scope, protective signaling systems. [Order FM-77-5, § 212-14-005, filed 12/12/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-14-105
212-14-010	Initiation of signal indication. [Order FM-77-5, § 212-14-010, filed 12/12/77; Order F-70-2, § 212-14-010, filed 9/21/70.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-14-110
212-14-015	System types. [Order FM-77-5, § 212-14-015, filed 12/12/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-14-115
212-14-020	Signal indicating devices. [Order FM-77-5, § 212-14-020, filed 12/12/77; Order F-70-2, § 212-14-020, filed 9/21/70.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-14-120
212-14-025	Common requirements. [Order FM-77-5, § 212-14-025, filed 12/12/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-14-12001
212-14-030	Manual alarm initiation. [Order FM-77-5, § 212-14-030, filed 12/12/77; Order F-70-2, § 212-14-030, filed 9/21/70.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-14-125
212-14-035	Automatic detection and alarm initiation. [Order FM-77-5, § 212-14-035, filed 12/12/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-14-130
212-14-040	Automatic smoke detection and alarm initiation. [Order FM-77-5, § 212-14-040, filed 12/12/77; Order F-70-2, § 212-14-040, filed 9/21/70.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	

Chapter 212-15**FIRE SAFETY STANDARDS FOR SELF-SERVICE GASOLINE STATIONS**

- 212-15-010 Application. [Order F-70-1, § 212-15-010, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-15-020 Definitions. [Order F-70-1, § 212-15-020, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-15-030 Signs required. [Order F-70-1, § 212-15-030, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-15-040 Pumps and equipment. [Order F-70-1, § 212-15-040, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-15-050 Portable containers. [Order F-70-1, § 212-15-050, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-15-060 Attendants and their duties. [Order F-70-1, § 212-15-060, filed 6/16/70.] Repealed by Order FM-77-2, filed 11/17/77.

Chapter 212-16**FIREWORKS**

- 212-16-001 Promulgation. [Fireworks rules, promulgation, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250. Later promulgation, see chapter 212-17 WAC.
- 212-16-010 Title, authority, purpose and scope—Short title. [Fireworks, Regulation 1, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-015 Title, authority, purpose and scope—Authority. [Fireworks, Regulation 2, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-020 Title, authority, purpose and scope—Purpose. [Fireworks, Regulation 3, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-025 Title, authority, purpose and scope—Scope. [Fireworks, Regulation 4, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-030 Title, authority, purpose and scope—Licenses fraudulently secured. [Fireworks, Regulation 5, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-035 License—To whom issued. [Order F-72-1, § 212-16-035, filed 1/24/72; Fireworks, Regulation 6, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-040 Registered employees. [Order F-72-1, § 212-16-040, filed 1/24/72; Fireworks, Regulation 7, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-045 Registered employees—Misuse of license. [Fireworks, Regulation 8, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-050 Registered employees—Definitions. [Fireworks, Regulation 9, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-055 Registered employees—Toy pistols. [Fireworks, Regulation 10, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-075 Fireworks manufacturer—General. [Fireworks, Regulation 11, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-080 Fireworks manufacturer—Licensing. [Fireworks, Regulation 12, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-085 Fireworks manufacturer—Local ordinances. [Fireworks, Regulation 13, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-090 Fireworks manufacturer—License limitations. [Fireworks, Regulation 14, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
- 212-16-095 Fireworks manufacturer—Classification. [Fireworks, Regulation 15, filed 6/1/62.] Repealed by 82-17-037

212-16-100

(Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-105

Fireworks manufacturer—Safe firing directions. [Fireworks, Regulation 16, filed 6/1/62, effective 1/1/63.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-110

Fireworks manufacturer—Records and reports. [Fireworks, Regulation 17, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-115

Fireworks manufacturer—Restrictions. [Fireworks, Regulation 18, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-120

Fireworks manufacturer—Bills of lading. [Fireworks, Regulation 19, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-125

Fireworks manufacturer—Salesmen and employees. [Fireworks, Regulation 20, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-130

Fireworks manufacturer—Building and structures. [Fireworks, Regulation 21, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-135

Fireworks manufacturer—Exits. [Fireworks, Regulation 22, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-140

Fireworks manufacturer—Personnel. [Fireworks, Regulation 23, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-145

Fireworks manufacturer—Fire drills. [Fireworks, Regulation 24, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-150

Fireworks manufacturer—Smoking and fire. [Fireworks, Regulation 25, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-155

Fireworks manufacturer—No smoking signs. [Fireworks, Regulation 26, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-160

Fireworks manufacturer—Visitors. [Fireworks, Regulation 27, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-175

Fireworks manufacturer—Fire nuisance. [Fireworks, Regulation 28, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-180

Fireworks wholesaler—General. [Fireworks, Regulation 29, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-185

Fireworks wholesaler—Licensing. [Fireworks, Regulation 30, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-190

Fireworks wholesaler—Investigation. [Fireworks, Regulation 31, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-195

Fireworks wholesaler—Local ordinances. [Fireworks, Regulation 32, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-200

Fireworks wholesaler—License limitations. [Fireworks, Regulation 33, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-205

Fireworks wholesaler—Classification. [Fireworks, Regulation 34, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

212-16-210

Fireworks wholesaler—Records and reports. [Fireworks, Regulation 35, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.

Fireworks wholesaler—Importing. [Fireworks, Regulation 36, filed 6/1/62.] Repealed by 82-17-037 (Order

	FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.		037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-215	Fireworks wholesaler—Restrictions. [Fireworks, Regulation 37, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-340	Retailers of safe and sane fireworks—Sales dates. [Fireworks, Regulation 58, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-220	Fireworks wholesaler—Bills of lading. [Fireworks, Regulation 38, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-345	Retailers of safe and sane fireworks—Sales locations. [Fireworks, Regulation 59, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-225	Fireworks wholesaler—Salesmen and employees. [Fireworks, Regulation 39, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-350	Retailers of safe and sane fireworks—Safety inspection. [Fireworks, Regulation 60, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-230	Fireworks wholesaler—Exits. [Fireworks, Regulation 40, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-355	Retailers of safe and sane fireworks—No smoking signs. [Fireworks, Regulation 61, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-235	Fireworks wholesaler—Personnel. [Fireworks, Regulation 41, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-360	Retailers of safe and sane fireworks—Smoking and discharge of fireworks. [Fireworks, Regulation 62, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-240	Fireworks wholesaler—Fire drills. [Fireworks, Regulation 42, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-365	Retailers of safe and sane fireworks—Fireworks classified. [Fireworks, Regulation 63, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-245	Fireworks wholesaler—Smoking and fire. [Fireworks, Regulation 43, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-370	Retailers of safe and sane fireworks—Disposition of unsold stock. [Fireworks, Regulation 64, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-250	Fireworks wholesaler—No smoking signs. [Fireworks, Regulation 44, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-385	Pyrotechnic operators—General. [Fireworks, Regulation 65, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-255	Fireworks wholesaler—Visitors. [Fireworks, Regulation 45, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-390	Pyrotechnic operators—Application for license. [Fireworks, Regulation 66, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-260	Fireworks wholesaler—Fire nuisance. [Fireworks, Regulation 46, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-395	Pyrotechnic operators—Examination, investigation and licensing. [Fireworks, Regulation 67, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-275	Importers and exporters of fireworks—General. [Fireworks, Regulation 47, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-400	Pyrotechnic operators—Responsibility. [Fireworks, Regulation 68, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-280	Importers and exporters of fireworks—Licensing. [Fireworks, Regulation 48, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-405	Pyrotechnic operators—Observance of laws, rules and regulations. [Fireworks, Regulation 69, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-285	Importers and exporters of fireworks—License scope. [Fireworks, Regulation 49, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-420	Registration of employees—Definition of registered employee. [Fireworks, Regulation 70, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-290	Importers and exporters of fireworks—Reports. [Fireworks, Regulation 50, filed 6/1/62, effective 1/1/63.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-425	Registration of employees—Application. [Fireworks, Regulation 71, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-295	Importers and exporters of fireworks—Classification. [Fireworks, Regulation 51, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-430	Registration of employees—Responsibility. [Fireworks, Regulation 72, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-300	Importers and exporters of fireworks—Unclassified fireworks. [Fireworks, Regulation 52, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-435	Registration of employees—Expiration. [Fireworks, Regulation 73, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-305	Importers and exporters of fireworks—Exporting. [Fireworks, Regulation 53, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-440	Registration of employees—Surrendering. [Fireworks, Regulation 74, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-310	Importers and exporters of fireworks—Shipping. [Fireworks, Regulation 54, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-455	Classification, registration and labeling—General. [Fireworks, Regulation 75, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-315	Importers and exporters of fireworks—Bills of lading. [Fireworks, Regulation 55, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-460	Classification, registration and labeling—Test samples. [Fireworks, Regulation 76, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-320	Importers and exporters of fireworks—Restrictions. [Fireworks, Regulation 56, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-465	Classification, registration and labeling—Chemical analysis. [Fireworks, Regulation 77, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-335	Retailers of safe and sane fireworks—General. [Fireworks, Regulation 57, filed 6/1/62.] Repealed by 82-17-	212-16-470	Classification, registration and labeling—Tests. [Fireworks, Regulation 78, filed 6/1/62.] Repealed by 82-17-

	037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.		FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-475	Classification, registration and labeling—Retests. [Fireworks, Regulation 79, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-600	Application, state license—Permits may not be granted, when. [Fireworks, Regulation 100, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-480	Classification, registration and labeling—Revocation. [Fireworks, Regulation 80, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-605	Application, state license—Spectators. [Fireworks, Regulation 101, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-485	Classification, registration and labeling—Labeling. [Fireworks, Regulation 81, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-610	Application, state license—Pyrotechnic operators. [Fireworks, Regulation 102, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-490	Classification, registration and labeling—Imports. [Fireworks, Regulation 82, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-615	Application, state license—Transportation. [Fireworks, Regulation 103, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-495	Classification, registration and labeling—Specifications. [Fireworks, Regulation 83, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-620	Application, state license—Public display storage magazines. [Fireworks, Regulation 104, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-510	Seal of registration—Description. [Fireworks, Regulation 84, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-625	Application, state license—Mortars. [Order FM R 76-1, § 212-16-625, filed 5/18/76; Fireworks, Regulation 105, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-515	Seal of registration—Unlawful use. [Fireworks, Regulation 85, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-630	Application, state license—Rocket launchers. [Fireworks, Regulation 106, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-520	Seal of registration—Permissive use. [Fireworks, Regulation 86, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-635	Application, state license—Metallic mortars. [Fireworks, Regulation 107, filed 6/1/62, effective 1/1/63.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-525	Seal of registration—Approved use. [Fireworks, Regulation 87, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-640	Application, state license—Setting mortars. [Fireworks, Regulation 108, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-530	Seal of registration—Reproduction. [Fireworks, Regulation 88, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-645	Application, state license—Setting rocket launchers. [Fireworks, Regulation 109, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-535	Seal of registration—Registration number. [Fireworks, Regulation 89, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-650	Special setting of mortars. [Fireworks, Regulation 110, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-540	Seal of registration—No subsequent issuance to others. [Fireworks, Regulation 90, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-655	Special setting of mortars—Finale batteries. [Fireworks, Regulation 111, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-545	Seal of registration—Cease use order. [Fireworks, Regulation 91, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-660	Special setting of mortars—Firing magazines. [Fireworks, Regulation 112, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-560	Public displays of fireworks—General. [Fireworks, Regulation 92, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-665	Special setting of mortars—Loading mortars. [Fireworks, Regulation 113, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-565	Application, state license. [Fireworks, Regulation 93, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-670	Special setting of mortars—Firing. [Fireworks, Regulation 114, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-570	Application, state license—Special and general licenses. [Fireworks, Regulation 94, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-675	Special setting of mortars—Firing rockets. [Fireworks, Regulation 115, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-575	Application, state license—General licenses. [Fireworks, Regulation 95, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-680	Special setting of mortars—Firing procedure. [Fireworks, Regulation 116, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-580	Application, state license—Reports. [Fireworks, Regulation 96, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-685	Special setting of mortars—Operator in charge. [Fireworks, Regulation 117, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-585	Application, state license—Local permit, application for. [Fireworks, Regulation 97, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-690	Special setting of mortars—Duds. [Fireworks, Regulation 118, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-590	Application, state license—Investigation. [Fireworks, Regulation 98, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-695	Special setting of mortars—Magazine tenders. [Fireworks, Regulation 119, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-595	Application, state license—Test areas. [Fireworks, Regulation 99, filed 6/1/62.] Repealed by 82-17-037 (Order	212-16-700	Special setting of mortars—Shell size. [Fireworks, Regulation 120, filed 6/1/62.] Repealed by 82-17-037

	(Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-845	Special effects—Scope. [Fireworks, Regulation 143, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-705	Special setting of mortars—Set pieces. [Fireworks, Regulation 121, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-850	Special effects—Basic requirements. [Fireworks, Regulation 144, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-710	Special setting of mortars—Match. [Fireworks, Regulation 122, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-855	Special effects—Magazines. [Fireworks, Regulation 145, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-715	Special setting of mortars—Flying pigeons. [Fireworks, Regulation 123, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-860	Special effects—Quantities. [Fireworks, Regulation 146, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-720	Special setting of mortars—Unfired fireworks. [Fireworks, Regulation 124, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-865	Special effects—Preparation. [Fireworks, Regulation 147, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-725	Special setting of mortars—Smoking. [Fireworks, Regulation 125, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-870	Special effects—Mortars. [Fireworks, Regulation 148, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-730	Special setting of mortars—Fire equipment. [Fireworks, Regulation 126, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-875	Special effects—Flash charges. [Fireworks, Regulation 149, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-735	Special setting of mortars—Reports. [Fireworks, Regulation 127, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-880	Special effects—Electric firing circuits. [Fireworks, Regulation 150, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-750	Transportation—General. [Fireworks, Regulation 128, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-885	Special effects—Power sources. [Fireworks, Regulation 151, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-755	Transportation—Labels. [Fireworks, Regulation 129, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-890	Special effects—Shunts. [Fireworks, Regulation 152, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-760	Transportation—Bills of lading. [Fireworks, Regulation 130, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-895	Special effects—Firing safeguards. [Fireworks, Regulation 153, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-765	Transportation—Test samples. [Fireworks, Regulation 131, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-900	Special effects—Circuit tests. [Fireworks, Regulation 154, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-770	Transportation—Custom bond. [Fireworks, Regulation 132, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-905	Special effects—Water locations. [Fireworks, Regulation 155, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-775	Transportation—Personnel. [Fireworks, Regulation 133, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-910	Special effects—Sight firing. [Fireworks, Regulation 156, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-780	Transportation—Smoking and fire. [Fireworks, Regulation 134, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-16-950	Repeal of other regulations. [Fireworks, Regulation 157, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.
212-16-785	Transportation—Fire nuisance. [Fireworks, Regulation 135, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	<p style="text-align: center;">Chapter 212-20 MODEL AND EXPERIMENTAL ROCKETRY</p>	
212-16-800	Storage—General. [Fireworks, Regulation 136, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.		
212-16-805	Storage—Explosive safety practices. [Order FM R 76-1, § 212-16-805, filed 5/18/76; Fireworks, Regulation 137, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-20-001	Declaration of intent. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-001, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-16-810	Storage—Supervision. [Fireworks, Regulation 138, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-20-010	Definitions. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-010, filed 8/8/79; Section I, filed 8/6/63.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-16-815	Storage—Personnel. [Fireworks, Regulation 139, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-20-015	Application—Rocket motors. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-015, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-16-820	Storage—Smoking and fire. [Fireworks, Regulation 140, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-20-020	Licenses, permits, and fees. [Regulation IV, V, VI, and VIII, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).
212-16-825	Storage—"No smoking" signs. [Fireworks, Regulation 141, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-20-025	Application—Rocket vehicles. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-025, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-16-830	Storage—Fire nuisance. [Fireworks, Regulation 142, filed 6/1/62.] Repealed by 82-17-037 (Order FM 82-6), filed 8/13/82. Statutory Authority: RCW 70.77.250.	212-20-030	Supervision. [Regulations II, III, IX, and XI, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).

212-20-035	Application—Rocket launching. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-035, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-235	Solid propellant rocket motors—Safe shipment. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-235, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-040	Model rocket engines—Sale, consignment, and shipment. [Regulation VII, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).	212-20-240	Solid propellant rocket motors—Flame ignition prohibited. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-240, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-045	Application—Exempt activities. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-045, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-245	Solid propellant rocket motors—Instructions. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-245, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-050	Launching site procedures. [Regulation X, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).	212-20-250	Solid propellant rocket motors—Sealing. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-250, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-055	Application—Exempt model aircraft. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-055, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-305	Cold propellant rocket motors—Sold assembled. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-305, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-060	Public view. [Regulation XII, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).	212-20-310	Cold propellant rocket motors—Propellant. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-310, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-065	Application—Exempt toy rockets. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-065, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-315	Cold propellant rocket motors—Working pressures. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-315, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-070	Necessity of complying with rules of aeronautics commission. [Regulation XIII, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).	212-20-320	Cold propellant rocket motors—Construction materials. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-320, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-075	Application—Exempt fireworks. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-075, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-405	Pressurized liquid rocket motors—Sold assembled. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-405, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-080	Penalties. [Regulation XIV, filed 8/6/63.] Repealed by 79-09-012 (Order FM-79-1), filed 8/8/79. Statutory Authority: RCW 70.77.250 (3)(a).	212-20-410	Pressurized liquid rocket motors—Nontoxic propellant. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-410, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-085	Purpose—Availability. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-085, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-415	Pressurized liquid rocket motors—Working pressures. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-415, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-090	Purpose—Prohibited rockets. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-090, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-420	Pressurized liquid rocket motors—Shipped empty. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-420, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-095	Purpose—Prohibited propellants. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-095, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-425	Pressurized liquid rocket motors—Pressurizing. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-425, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-100	Rocket construction and operation. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-100, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-430	Pressurized liquid rocket motors—Construction materials. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-430, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-200	Solid propellant rocket motors—General. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-200, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-500	Nationally recognized testing labs, associations. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-500, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-205	Solid propellant rocket motors—Casing material. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-205, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-600	Use of rocket motors for spectacular display. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-600, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-210	Solid propellant rocket motors—Casing design. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-210, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-605	Use of rocket or rocket motor as a weapon. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-605, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-215	Solid propellant rocket motors—Incapable of spontaneous ignition. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-215, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-610	Use of rocket motor contrary to Federal Aviation Agency regulations. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-610, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
212-20-220	Solid propellant rocket motors—Propellant. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-220, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.	212-20-615	Tampering with rocket motor. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), §
212-20-225	Solid propellant rocket motors—Manufacturer sampling. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-225, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.		
212-20-230	Solid propellant rocket motors—Manufacturer dating. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-230, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.		

212-20-615, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.

- 212-20-620 Sale of noncomplying rocket motors. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-620, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
- 212-20-625 Operation of rockets contrary to Federal Aviation Agency regulations. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-625, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
- 212-20-630 Use of noncomplying rockets. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-630, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
- 212-20-635 Sale or use of hand-held igniters. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-635, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
- 212-20-640 False certification. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-640, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
- 212-20-645 Reloading solid propellant rocket motor. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-645, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
- 212-20-650 Refilling cold propellant rocket motor. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-650, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
- 212-20-655 Refilling pressurized liquid rocket motor. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-655, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
- 212-20-660 Permits. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-660, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
- 212-20-665 Penalty. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-665, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.
- 212-20-990 Appendix—Supplementary information. [Statutory Authority: RCW 70.77.250 (3)(a). 79-09-012 (Order FM-79-1), § 212-20-990, filed 8/8/79.] Repealed by 00-01-077, filed 12/14/99, effective 1/14/00.

Chapter 212-24

FIRE SAFETY STANDARDS FOR GROUP HOMES HOUSING NOT MORE THAN TEN PHYSICALLY NORMAL RESIDENTS

- 212-24-010 Application. [Order FMR-69-1, § 212-24-010, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-020 No housing above second floor—Exception. [Order FMR-69-1, § 212-24-020, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-030 Means of egress—Fire door required. [Order FMR-69-1, § 212-24-030, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-040 Sleeping quarters. [Order FMR-69-1, § 212-24-040, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-050 Boiler room. [Order FMR-69-1, § 212-24-050, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-060 Fire extinguishers. [Order FMR-69-1, § 212-24-060, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-070 Fire door assemblies. [Order FMR-69-1, § 212-24-070, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-080 Smoke detector—Fire alarm system. [Order FMR-69-1, § 212-24-080, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-090 Interior finishes—Heat-activated alarm system. [Order FMR-69-1, § 212-24-090, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-100 Fire drills. [Order FMR-69-1, § 212-24-100, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.
- 212-24-110 Storage prohibited. [Order FMR-69-1, § 212-24-110, filed 6/16/69.] Repealed by Order FM-77-2, filed 11/17/77.

Chapter 212-26 HOSPICE CARE CENTERS—STANDARDS FOR FIRE PROTECTION

- 212-26-001 Purpose. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-001, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-005 Definitions. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-005, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-010 Applicability. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-010, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-015 Compliance. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-015, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-020 Inspection. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-020, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-025 Approval. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-025, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-030 Right of appeal. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-030, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-035 Local codes. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-035, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-040 Standards. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-040, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-045 Construction requirements. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-045, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-050 Modernization or renovation. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-050, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-055 Additions. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-055, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-060 Design, operation. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-060, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-065 Smoke detection. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-065, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-070 Fire alarm. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-070, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-075 Emergency lighting. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-075, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

- 212-26-080 Sprinkler protection. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-080, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-085 Fire and evacuation plan. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-085, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-090 Smoke control. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-090, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-095 Fire drills. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-095, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-100 Equipment maintenance. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-100, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-26-105 Severability. [Statutory Authority: RCW 70.41.080. 82-11-029 (Order FM 82-1), § 212-26-105, filed 5/11/82.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

Chapter 212-28
HOSPITALS, STANDARDS FOR FIRE PROTECTION

- 212-28-001 Purpose. [Order FM-77-4, § 212-28-001, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-010 Definitions. [Order FM-77-4, § 212-28-010, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-015 Applicability. [Order FM-77-4, § 212-28-015, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-020 Compliance. [Order FM-77-4, § 212-28-020, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-025 Inspection. [Order FM-77-4, § 212-28-025, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-030 Approval. [Order FM-77-4, § 212-28-030, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-035 Right of appeal. [Order FM-77-4, § 212-28-035, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-040 Local requirements. [Order FM-77-4, § 212-28-040, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-045 Standards. [Order FM-77-4, § 212-28-045, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-050 Construction requirements. [Order FM-77-4, § 212-28-050, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-055 Modernization or renovation. [Order FM-77-4, § 212-28-055, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-060 Additions. [Order FM-77-4, § 212-28-060, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-065 Mixed occupancies. [Order FM-77-4, § 212-28-065, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02),
- 212-28-070 filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-075 Design, operation. [Order FM-77-4, § 212-28-075, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-080 Compartmentation. [Order FM-77-4, § 212-28-080, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-085 Smoke detection. [Order FM-77-4, § 212-28-085, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-090 Fire alarm. [Order FM-77-4, § 212-28-090, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-095 Sprinkler protection. [Order FM-77-4, § 212-28-095, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-100 Fire and evacuation plan. [Order FM-77-4, § 212-28-100, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-105 Fire drills. [Order FM-77-4, § 212-28-105, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-110 Equipment maintenance. [Order FM-77-4, § 212-28-110, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-28-115 Separability. [Order FM-77-4, § 212-28-115, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

Chapter 212-32
NURSING HOMES, STANDARDS FOR FIRE PROTECTION

- 212-32-001 Purpose. [Order FM-77-3, § 212-32-001, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-32-005 Definitions. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-005, filed 6/4/86; Order FM-77-3, § 212-32-005, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-32-010 Applicability. [Order FM-77-3, § 212-32-010, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-32-015 Compliance. [Statutory Authority: Chapter 18.51 RCW. 87-18-067 (Order 87-17), § 212-32-015, filed 9/2/87; 86-12-062 (Order 86-06), § 212-32-015, filed 6/4/86; Order FM-77-3, § 212-32-015, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-32-020 Inspection. [Order FM-77-3, § 212-32-020, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-32-025 Approval. [Order FM-77-3, § 212-32-025, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-32-030 Right of appeal. [Order FM-77-3, § 212-32-030, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-32-035 Local codes. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-035, filed 6/4/86; Order FM-77-3, § 212-32-035, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-32-040 Standards. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-040, filed 6/4/86; Order FM-77-3, § 212-32-040, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective

	3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.		6/4/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-045	Construction requirements. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-045, filed 6/4/86. Statutory Authority: RCW 18.51.140. 82-13-025 (Order FM 82-5), § 212-32-045, filed 6/8/82; Order FM-77-3, § 212-32-045, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-32-125	Corridor walls. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-125, filed 6/4/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-050	Modernization or renovation. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-050, filed 6/4/86; Order FM-77-3, § 212-32-050, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-32-130	Fire protection standards. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-130, filed 6/4/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-055	Additions. [Order FM-77-3, § 212-32-055, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-32-135	Portable fire extinguishers. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-135, filed 6/4/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-060	Mixed occupancies. [Order FM-77-3, § 212-32-060, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-32-140	Fire protection and fire prevention operating features. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-140, filed 6/4/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-065	Design, operation. [Order FM-77-3, § 212-32-065, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-32-145	Fire and incident reporting. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-145, filed 6/4/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-070	Compartmentation. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-070, filed 6/4/86; Order FM-77-3, § 212-32-070, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-32-150	Exit sign illumination. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-150, filed 6/4/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-075	Smoke detection. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-075, filed 6/4/86; Order FM-77-3, § 212-32-075, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-32-155	Extension cords. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-155, filed 6/4/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-080	Fire alarm. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-080, filed 6/4/86; Order FM-77-3, § 212-32-080, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-32-160	Portable heaters. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-160, filed 6/4/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-085	Sprinkler protection. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-085, filed 6/4/86; Order FM-77-3, § 212-32-085, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	Chapter 212-36 BOARDING HOMES, STANDARDS FOR FIRE PROTECTION	
212-32-090	Fire and evacuation plan. [Order FM-77-3, § 212-32-090, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-36-001	Purpose. [Order FM-77-3, § 212-36-001, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-095	Fire drills. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-095, filed 6/4/86; Order FM-77-3, § 212-32-095, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-36-005	Definitions. [Order FM-77-3, § 212-36-005, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-100	Equipment maintenance. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-100, filed 6/4/86; Order FM-77-3, § 212-32-100, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-36-010	Applicability. [Order FM-77-3, § 212-36-010, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-105	Separability. [Order FM-77-3, § 212-32-105, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-36-015	Compliance. [Order FM-77-3, § 212-36-015, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-110	Emergency lighting and power. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-110, filed 6/4/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-36-020	Inspection. [Order FM-77-3, § 212-36-020, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-115	Carpeting. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-115, filed 6/4/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-36-025	Approval. [Order FM-77-3, § 212-36-025, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-32-120	Smoke control. [Statutory Authority: Chapter 18.51 RCW. 86-12-062 (Order 86-06), § 212-32-120, filed	212-36-030	Right of appeal. [Order FM-77-3, § 212-36-030, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
		212-36-035	Local requirements. [Order FM-77-3, § 212-36-035, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
		212-36-040	Standards. [Order FM-77-3, § 212-36-040, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-36-045	Construction requirements. [Order FM-77-3, § 212-36-045, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-36-050	Modernization or renovation. [Order FM-77-3, § 212-36-050, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-36-055	Additions. [Order FM-77-3, § 212-36-055, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-36-060	Mixed occupancies. [Order FM-77-3, § 212-36-060, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-36-065	Design, operation. [Order FM-77-3, § 212-36-065, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-36-070	Number of exits, separation. [Order FM-77-3, § 212-36-070, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-36-075	Smoke detection. [Order FM-77-3, § 212-36-075, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-36-080	Fire alarm. [Order FM-77-3, § 212-36-080, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-36-085	Fire and evacuation plan. [Order FM-77-3, § 212-36-085, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-36-090	Fire drills. [Order FM-77-3, § 212-36-090, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-36-095	Equipment maintenance. [Order FM-77-3, § 212-36-095, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-36-100	Separability. [Order FM-77-3, § 212-36-100, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

**Chapter 212-40
PRIVATE ESTABLISHMENTS, STANDARDS FOR FIRE
PROTECTION**

212-40-001	Purpose. [Order FM-77-3, § 212-40-001, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-005	Definitions. [Order FM-77-3, § 212-40-005, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-010	Applicability. [Order FM-77-3, § 212-40-010, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-015	Compliance. [Order FM-77-3, § 212-40-015, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-020	Inspection. [Order FM-77-3, § 212-40-020, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-025	Approval. [Order FM-77-3, § 212-40-025, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-030	Right of appeal. [Order FM-77-3, § 212-40-030, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-035	Local requirements. [Order FM-77-3, § 212-40-035, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-40-040	Standards. [Order FM-77-3, § 212-40-040, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-045	Construction requirements. [Order FM-77-3, § 212-40-045, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-050	Modernization or renovation. [Order FM-77-3, § 212-40-050, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-055	Additions. [Order FM-77-3, § 212-40-055, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-060	Mixed occupancies. [Order FM-77-3, § 212-40-060, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-065	Design, operation. [Order FM-77-3, § 212-40-065, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-070	Smoke detection. [Order FM-77-3, § 212-40-070, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-075	Fire alarm. [Order FM-77-3, § 212-40-075, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-080	Sprinkler protection. [Order FM-77-3, § 212-40-080, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-085	Occupancy limitations. [Order FM-77-3, § 212-40-085, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-090	Fire and evacuation plan. [Order FM-77-3, § 212-40-090, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-095	Fire drills. [Order FM-77-3, § 212-40-095, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-100	Equipment maintenance. [Order FM-77-3, § 212-40-100, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-40-105	Separability. [Order FM-77-3, § 212-40-105, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

**Chapter 212-42
STANDARDS FOR FIRE PROTECTION RESIDENTIAL
TREATMENT FACILITIES FOR PSYCHIATRICALY IMPAIRED
CHILDREN AND YOUTH**

212-42-001	Purpose. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-001, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-005	Definitions. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-005, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-010	Applicability. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-010, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-015	Compliance. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-015, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-020	Inspection. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-020, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

	effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.		filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-025	Approval. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-025, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-42-110	Smoke control. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-110, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-030	Right of appeal. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-030, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-42-115	Fire drills. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-115, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-035	Local codes. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-035, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-42-120	Equipment maintenance. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-120, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-040	Standards. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-040, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-42-125	Severability. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-125, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-045	Construction requirements. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-045, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.		
212-42-050	Modernization or renovation. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-050, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.		
212-42-055	Additions. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-055, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-43-001	Purpose. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-001, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-060	Design, operation. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-060, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-43-005	Applicability. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-005, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-065	Compartmentation. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-065, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-43-010	Definitions. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-010, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-070	Smoke detection. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-070, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-43-015	Compliance. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-015, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-075	Fire alarm. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-075, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-43-020	Inspection. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-020, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-080	Emergency lighting. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-080, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-43-025	Approval. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-025, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-085	Sprinkler protection. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-085, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-43-030	Appeal of fire marshal action or order—Summary suspension of approval. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-030, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-090	Restrained clients. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-090, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-43-035	Local codes. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-035, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-095	Client release. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-095, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-43-040	Client mobility and cognitive functions. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-040, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-100	Locked exits. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-100, filed 10/21/80.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-43-045	Standards. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-045, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-42-105	Fire and evacuation plan. [Statutory Authority: RCW 71.12.485. 80-15-090 (Order FM 80-2), § 212-42-105,	212-43-050	Construction requirements. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-050, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

Chapter 212-43

ADULT RESIDENTIAL TREATMENT FACILITIES—STANDARDS FOR FIRE PROTECTION

212-43-055 Modernization or renovation. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-055, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-060 Additions. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-060, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-065 Design, operation. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-065, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-070 Smoke detection. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-070, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-075 Fire alarm. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-075, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-080 Emergency lighting. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-080, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-085 Carpeting. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-085, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-090 Smoke control. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-090, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-095 Number of exits, separation. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-095, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-100 Fire and evacuation plan. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-100, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-105 Fire drills. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-105, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-110 Equipment maintenance. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-110, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-115 Compartmentation. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-115, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-120 Fire protection standards. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-120, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-125 Portable fire extinguishers. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-125, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-130 Fire protection and fire prevention operating features. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-130, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-43-135 Severability. [Statutory Authority: RCW 71.12.485. 83-03-028 (Order FM 83-01), § 212-43-135, filed 1/14/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93,

effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

Chapter 212-45 PRIVATE ADULT TREATMENT HOMES—STANDARDS FOR FIRE PROTECTION

212-45-001 Purpose. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-001, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-005 Applicability. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-005, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-010 Definitions. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-010, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-015 Compliance. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-015, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-020 Inspection. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-020, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-025 Approval. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-025, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-030 Appeal of fire marshal action or order—Summary suspension of approval. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-030, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-035 Local codes. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-035, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-040 Client mobility and cognitive functions. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-040, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-045 Standards. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-045, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-050 Construction requirements. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-050, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-055 Modernization or renovation. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-055, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-060 Additions. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-060, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-065 Design, operation. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-065, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-070 Smoke detection. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-070, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-45-075 Means of escape. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-075, filed

	2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.		filed 1/21/81. Statutory Authority: RCW 48.48.050 and 70.62.290.
212-45-080	Exit doors. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-080, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-016	Occupancy classification. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-016, filed 5/16/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-45-085	Interior finish. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-085, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-018	Construction requirements. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-018, filed 5/16/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-45-090	Heating equipment. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-090, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-020	Exemption from compliance with these regulations—Application, procedure, review. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-020, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-020, filed 1/21/81; Order FM-77-3, § 212-52-020, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-45-095	Fire and evacuation plan. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-095, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-025	Inspections. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-025, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-025, filed 1/21/81; Order FM-77-3, § 212-52-025, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-45-100	Fire drills. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-100, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-027	Approval. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-027, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-027, filed 1/21/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-45-105	Portable fire extinguishers. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-105, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-028	Denial of fire marshal approval. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-028, filed 5/16/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-45-110	Fire protection and fire prevention operating features. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-110, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-030	Right of appeal. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-030, filed 5/16/86; Order FM-77-3, § 212-52-030, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-45-115	Severability. [Statutory Authority: RCW 71.12.485. 83-06-022 (Order FM 83-01), § 212-45-115, filed 2/23/83.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-035	Suspension, revocation or denial of license. [Order FM-77-3, § 212-52-035, filed 12/8/77.] Repealed by 81-03-081 (Order FM 81-1), filed 1/21/81. Statutory Authority: RCW 48.48.050 and 70.62.290.
Chapter 212-52		212-52-037	Alternate methods. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-037, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-037, filed 1/21/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
TRANSIENT ACCOMMODATIONS, STANDARDS FOR FIRE PROTECTION		212-52-040	Occupancy separation. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-040, filed 1/21/81; Order FM-77-3, § 212-52-040, filed 12/8/77.] Repealed by 86-11-038 (Order 86-03), filed 5/16/86. Statutory Authority: Chapter 70.62 RCW.
212-52-001	Title. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-001, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-001, filed 1/21/81; Order FM-77-3, § 212-52-001, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-041	Reporting fire incidents. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-041, filed 5/16/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-52-002	Purpose. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-002, filed 5/16/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-045	Hazardous areas. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-045, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-045, filed 1/21/81; Order FM-77-3, § 212-52-045, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-52-005	Definitions. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-005, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-005, filed 1/21/81; Order FM-77-3, § 212-52-005, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-050	Exit enclosures. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-050, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-050, filed 1/21/81; Order FM-77-3, § 212-52-050, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-52-010	Applicability. [Order FM-77-3, § 212-52-010, filed 12/8/77.] Repealed by 81-03-081 (Order FM 81-1), filed 1/21/81. Statutory Authority: RCW 48.48.050 and 70.62.290.		
212-52-012	Application and scope. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-012, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 82-11-030 (Order FM 82-2), § 212-52-012, filed 5/11/82; 81-03-081 (Order FM 81-1), § 212-52-012, filed 1/21/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.		
212-52-015	Compliance required. [Order FM-77-3, § 212-52-015, filed 12/8/77.] Repealed by 81-03-081 (Order FM 81-1),		

	2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.		2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-52-055	Other vertical openings. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-055, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-055, filed 1/21/81; Order FM-77-3, § 212-52-055, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-110	Obstructions. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-110, filed 1/21/81; Order FM-77-3, § 212-52-110, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-52-060	Interior finish. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-060, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-060, filed 1/21/81; Order FM-77-3, § 212-52-060, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-112	Control of hazardous conditions and practices. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-112, filed 5/16/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-52-065	Guest room protection. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-065, filed 1/21/81; Order FM-77-3, § 212-52-065, filed 12/8/77.] Repealed by 86-11-038 (Order 86-03), filed 5/16/86. Statutory Authority: Chapter 70.62 RCW.	212-52-115	Maintenance. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-115, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-115, filed 1/21/81; Order FM-77-3, § 212-52-115, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-52-070	Corridors, guest room doors. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-070, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-070, filed 1/21/81; Order FM-77-3, § 212-52-070, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-120	Emergency procedures plan. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-120, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-120, filed 1/21/81; Order FM-77-3, § 212-52-120, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-52-075	Fire alarm system. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-075, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-075, filed 1/21/81; Order FM-77-3, § 212-52-075, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-125	Severability. [Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-125, filed 1/21/81; Order FM-77-3, § 212-52-125, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-52-080	Number of exits, arrangement, exit doors. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-080, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-080, filed 1/21/81; Order FM-77-3, § 212-52-080, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-99001	Figure 1. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-99001, filed 5/16/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-52-085	Access to exits. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-085, filed 5/16/86; Order FM-77-3, § 212-52-085, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-52-99002	Figure 2. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-99002, filed 5/16/86.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-52-090	Exit doors. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-090, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-090, filed 1/21/81; Order FM-77-3, § 212-52-090, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	<p style="text-align: center;">Chapter 212-54 DAY CARE CENTERS AND DAY TREATMENT CENTERS, STANDARDS FOR FIRE PROTECTION</p>	
212-52-095	Exit signs. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-095, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-095, filed 1/21/81; Order FM-77-3, § 212-52-095, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.		
212-52-100	Corridor lighting—Exit illumination. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-100, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-100, filed 1/21/81; Order FM-77-3, § 212-52-100, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-54-001	Purpose. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-001, filed 10/22/81. Formerly chapters 212-59, 212-60, 212-61 and 212-62 WAC (part).] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-52-105	Fire extinguishers. [Statutory Authority: Chapter 70.62 RCW. 86-11-038 (Order 86-03), § 212-52-105, filed 5/16/86. Statutory Authority: RCW 48.48.050 and 70.62.290. 81-03-081 (Order FM 81-1), § 212-52-105, filed 1/21/81; Order FM-77-3, § 212-52-105, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-54-005	Definitions. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-005, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
		212-54-010	Compliance required. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-010, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
		212-54-015	Inspections and approval. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-015, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
		212-54-020	Right of appeal. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-020, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
		212-54-025	Contact with local building and fire officials. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-025, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
		212-54-030	Occupancy restrictions. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-030, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05),

	filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-005	Definitions. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-005, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-005, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-035	Hazardous areas. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-035, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-010	Compliance required. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-010, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-010, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-040	Exits. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-040, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-015	Inspections and approval. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-015, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-045	Sleeping and napping rooms. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-045, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-020	Right of appeal. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-020, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-050	Single station smoke detectors. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-050, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-025	Contact with local building and fire officials. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-025, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-025, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-055	Alternate method for alarm. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-055, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-030	Occupancy restrictions. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-030, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-030, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-060	Fire alarm system. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-060, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-035	Hazardous areas. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-035, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-035, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-065	Fire extinguisher. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-065, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-040	Exits. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-040, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-040, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-070	Fire prevention. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-070, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-045	Sleeping and napping rooms. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-045, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-075	Maintenance. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-075, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-050	Automatic smoke detection. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-050, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-080	Fire evacuation plan. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-080, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-055	Alarm in case of fire. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-055, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-055, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-085	Fire evacuation drill. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-085, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-060	Fire extinguishers. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-060, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-090	Staff training. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-090, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-065	Fire prevention. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-065, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-065, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-095	Alternate methods. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-095, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-070	Maintenance. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-070, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
212-54-100	Severability. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-100, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.	212-55-075	Fire evacuation plan. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-075, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-075, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.

**Chapter 212-55
MINI DAY CARE CENTERS, STANDARDS FOR FIRE
PROTECTION**

- 212-55-080 Fire evacuation drill. [Statutory Authority: RCW 74.15.050, 81-22-003 (Order FM 81-4), § 212-55-080, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-085 Staff training. [Statutory Authority: RCW 74.15.050, 82-22-025 (Order FM 82-9), § 212-55-085, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-085, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-090 Alternate methods. [Statutory Authority: RCW 74.15.050, 81-22-003 (Order FM 81-4), § 212-55-090, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-095 Severability. [Statutory Authority: RCW 74.15.050, 81-22-003 (Order FM 81-4), § 212-55-095, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.

Chapter 212-56**GROUP HOME IN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

- 212-56-001 Purpose. [Order FM-77-3, § 212-56-001, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-005 Definitions. [Order FM-77-3, § 212-56-005, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-010 Applicability. [Order FM-77-3, § 212-56-010, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-015 Compliance. [Order FM-77-3, § 212-56-015, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-020 Inspections and approvals. [Order FM-77-3, § 212-56-020, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-025 Right of appeal. [Order FM-77-3, § 212-56-025, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-030 Building construction. [Order FM-77-3, § 212-56-030, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-035 Exiting. [Order FM-77-3, § 212-56-035, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-040 Fire extinguishers. [Order FM-77-3, § 212-56-040, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-045 Fire alarm. [Order FM-77-3, § 212-56-045, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-050 Fire prevention. [Order FM-77-3, § 212-46-050 (codified as WAC 212-56-050), filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-055 Maintenance. [Order FM-77-3, § 212-56-055, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-060 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-56-060, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-56-065 Separability. [Order FM-77-3, § 212-56-065, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.

Chapter 212-56A**CHILD DAY CARE CENTERS AND FAMILY CHILD DAY CARE HOMES—STANDARDS FOR FIRE PROTECTION**

- 212-56A-001 Purpose. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-001, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-005 Definitions. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-005, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

- 212-56A-010 Compliance required. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-010, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-015 Inspections and approval. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-015, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-020 Right of appeal. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-020, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-030 Occupancy restrictions. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-030, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-035 Hazardous areas. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-035, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-040 Single station smoke detectors. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-040, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-045 Alternate means of sounding a fire alarm. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-045, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-050 Fire extinguisher. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-050, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-055 Fire prevention. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-055, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-060 Sprinkler system maintenance. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-060, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-065 Fire evacuation plan. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-065, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-070 Fire evacuation drill. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-070, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-075 Staff training. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-075, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-080 Occupancy restrictions. [Statutory Authority: Chapters 48.48 and 43.63A RCW, 91-11-001 (Order 91-05), § 212-56A-080, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

- 212-56A-085 Hazardous areas. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-085, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-090 Sleeping and napping rooms. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-090, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-095 Single station smoke detectors. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-095, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-100 Alternate method for alarm. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-100, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-105 Fire alarm system. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-105, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-110 Fire extinguisher. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-110, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-115 Fire prevention. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-115, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-120 Sprinkler system maintenance. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-120, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-125 Fire evacuation plan. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-125, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-130 Fire evacuation drill. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-130, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-135 Staff training. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-135, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-56A-140 Alternate methods. [Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-140, filed 5/2/91, effective 6/2/91.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

Chapter 212-57**GROUP HOME OTHER THAN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

- 212-57-001 Purpose. [Order FM-77-3, § 212-57-001, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-005 Definitions. [Order FM-77-3, § 212-57-005, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-010 Applicability. [Order FM-77-3, § 212-57-010, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.

- 212-57-015 Compliance. [Order FM-77-3, § 212-57-015, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-020 Inspections and approvals. [Order FM-77-3, § 212-57-020, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-025 Right of appeal. [Order FM-77-3, § 212-57-025, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-030 Building construction. [Order FM-77-3, § 212-57-030, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-035 Exiting. [Order FM-77-3, § 212-57-035, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-040 Fire extinguishers. [Order FM-77-3, § 212-57-040, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-045 Fire alarm. [Order FM-77-3, § 212-57-045, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-050 Hazardous areas and building service equipment. [Order FM-77-3, § 212-57-050, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-055 Fire prevention. [Order FM-77-3, § 212-57-055, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-060 Maintenance. [Order FM-77-3, § 212-57-060, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-065 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-57-065, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-57-070 Separability. [Order FM-77-3, § 212-57-070, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.

Chapter 212-58**GROUP HOME FOR DEVELOPMENTALLY DISABLED PERSONS, STANDARDS FOR FIRE PROTECTION**

- 212-58-001 Purpose. [Order FM-77-3, § 212-58-001, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-005 Definitions. [Order FM-77-3, § 212-58-005, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-010 Applicability. [Order FM-77-3, § 212-58-010, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-015 Compliance. [Order FM-77-3, § 212-58-015, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-020 Inspections and approvals. [Order FM-77-3, § 212-58-020, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-025 Right of appeal. [Order FM-77-3, § 212-58-025, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-030 Building construction. [Order FM-77-3, § 212-58-030, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-035 Exiting. [Order FM-77-3, § 212-58-035, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-040 Fire extinguishers. [Order FM-77-3, § 212-58-040, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-045 Fire alarm. [Order FM-77-3, § 232-58-045 (codified as WAC 212-58-045), filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-050 Hazardous areas and building service equipment. [Order FM-77-3, § 212-58-050, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-055 Fire prevention. [Order FM-77-3, § 212-58-055, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.

Title 212**Title 212 WAC: Fire Protection**

- 212-58-060 Maintenance. [Order FM-77-3, § 212-58-060, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-065 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-58-065, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-58-070 Separability. [Order FM-77-3, § 212-58-070, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.

Chapter 212-59**MINI DAY CARE CENTER IN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

- 212-59-001 Purpose. [Order FM-77-3, § 212-59-001, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050. Later promulgation, see chapters 212-54 and 212-55 WAC.
- 212-59-005 Definitions. [Order FM-77-3, § 212-59-005, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-010 Applicability. [Order FM-77-3, § 212-59-010, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-015 Compliance. [Order FM-77-3, § 212-59-015, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-020 Inspections and approvals. [Order FM-77-3, § 212-59-020, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-025 Right of appeal. [Order FM-77-3, § 212-59-025, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-030 Building construction. [Order FM-77-3, § 212-59-030, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-035 Exiting. [Order FM-77-3, § 212-59-035, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-040 Fire extinguishers. [Order FM-77-3, § 212-59-040, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-045 Automatic fire detection. [Order FM-77-3, § 212-59-045, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-050 Fire prevention. [Order FM-77-3, § 212-59-050, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-055 Maintenance. [Order FM-77-3, § 212-59-055, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-060 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-59-060, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-59-065 Separability. [Order FM-77-3, § 212-59-065, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.

Chapter 212-60**MINI DAY CARE CENTER OTHER THAN IN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

- 212-60-001 Purpose. [Order FM-77-3, § 212-60-001, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050. Later promulgation, see chapters 212-54 and 212-55 WAC.
- 212-60-005 Definitions. [Order FM-77-3, § 212-60-005, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-010 Applicability. [Order FM-77-3, § 212-60-010, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-015 Compliance. [Order FM-77-3, § 212-60-015, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-020 Inspections and approvals. [Order FM-77-3, § 212-60-020, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-025 Right of appeal. [Order FM-77-3, § 212-60-025, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.

- 212-60-030 Building construction. [Order FM-77-3, § 212-60-030, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-035 Exiting. [Order FM-77-3, § 212-60-035, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-040 Fire extinguishers. [Order FM-77-3, § 212-60-040, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-045 Fire alarm. [Order FM-77-3, § 212-60-045, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-050 Hazardous areas and building service equipment. [Order FM-77-3, § 212-60-050, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-055 Fire prevention. [Order FM-77-3, § 212-60-055, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-060 Maintenance. [Order FM-77-3, § 212-60-060, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-065 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-60-065, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-60-070 Separability. [Order FM-77-3, § 212-60-070, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.

Chapter 212-61**DAY CARE CENTER IN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

- 212-61-001 Purpose. [Order FM-77-3, § 212-61-001, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050. Later promulgation, see chapters 212-54 and 212-55 WAC.
- 212-61-005 Definitions. [Order FM-77-3, § 212-61-005, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-010 Applicability. [Order FM-77-3, § 212-61-010, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-015 Compliance. [Order FM-77-3, § 212-61-015, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-020 Inspections and approvals. [Order FM-77-3, § 212-61-020, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-025 Right of appeal. [Order FM-77-3, § 212-61-025, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-030 Building construction. [Order FM-77-3, § 212-61-030, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-035 Exiting. [Order FM-77-3, § 212-61-035, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-040 Fire extinguishers. [Order FM-77-3, § 212-61-040, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-045 Fire alarm. [Order FM-77-3, § 212-61-045, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-050 Fire prevention. [Order FM-77-3, § 212-61-050, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-055 Maintenance. [Order FM-77-3, § 212-61-055, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-060 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-61-060, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-61-065 Separability. [Order FM-77-3, § 212-61-065, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.

Chapter 212-62**DAY CARE CENTER AND DAY TREATMENT PROGRAM OTHER THAN IN FAMILY ABODE, STANDARDS FOR FIRE PROTECTION**

- 212-62-001 Purpose. [Order FM-77-3, § 212-62-001, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050. Later promulgation, see chapters 212-54 and 212-55 WAC.
- 212-62-005 Definitions. [Order FM-77-3, § 212-62-005, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-010 Applicability. [Order FM-77-3, § 212-62-010, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-015 Compliance. [Order FM-77-3, § 212-62-015, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-020 Inspections and approvals. [Order FM-77-3, § 212-62-020, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-025 Right of appeal. [Order FM-77-3, § 212-62-025, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-030 Building construction. [Order FM-77-3, § 212-62-030, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-035 Exiting. [Order FM-77-3, § 212-62-035, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-040 Fire extinguishers. [Order FM-77-3, § 212-62-040, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-045 Fire alarm. [Order FM-77-3, § 212-62-045, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-050 Hazardous areas and building service equipment. [Order FM-77-3, § 212-62-050, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-055 Fire prevention. [Order FM-77-3, § 212-62-055, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-060 Maintenance. [Order FM-77-3, § 212-62-060, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-065 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-62-065, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.
- 212-62-070 Separability. [Order FM-77-3, § 212-62-070, filed 12/8/77.] Repealed by 81-22-003 (Order FM 81-4), filed 10/22/81. Statutory Authority: RCW 74.15.050.

Chapter 212-63**CHILD CARE INSTITUTIONS, STANDARDS FOR FIRE PROTECTION**

- 212-63-001 Purpose. [Order FM-77-3, § 212-63-001, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-005 Definitions. [Order FM-77-3, § 212-63-005, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-010 Applicability. [Order FM-77-3, § 212-010 (codified as WAC 212-63-010), filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-015 Compliance. [Order FM-77-3, § 212-63-015, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-020 Inspections and approvals. [Order FM-77-3, § 212-63-020, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-025 Right of appeal. [Order FM-77-3, § 212-63-025, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-030 Building construction. [Order FM-77-3, § 212-63-030, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-035 Exiting. [Order FM-77-3, § 212-63-035, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.

- 212-63-040 Fire extinguishers. [Order FM-77-3, § 212-63-040, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-045 Fire alarm. [Order FM-77-3, § 212-63-045, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-050 Hazardous areas and building service equipment. [Order FM-77-3, § 212-63-050, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-055 Fire prevention. [Order FM-77-3, § 212-63-055, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-060 Maintenance. [Order FM-77-3, § 212-63-060, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-065 Fire evacuation plan and staff training requirements. [Order FM-77-3, § 212-63-065, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-63-070 Separability. [Order FM-77-3, § 212-63-070, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.

Chapter 212-64**MATERNITY SERVICE, STANDARDS FOR FIRE PROTECTION**

- 212-64-001 Purpose. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-001, filed 6/23/81; Order FM-77-3, § 212-64-001, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-64-005 Definitions. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-005, filed 6/23/81; Order FM-77-3, § 212-64-005, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-64-010 Applicability. [Order FM-77-3, § 212-64-010, filed 12/8/77.] Repealed by 81-14-010 (Order FM 81-3), filed 6/23/81. Statutory Authority: RCW 74.15.050.
- 212-64-015 Compliance required. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-015, filed 6/23/81; Order FM-77-3, § 212-64-015, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-64-020 Inspections and approval. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-020, filed 6/23/81; Order FM-77-3, § 212-64-020, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-64-025 Right of appeal. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-025, filed 6/23/81; Order FM-77-3, § 212-64-025, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-64-030 Contact with local building and fire officials. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-030, filed 6/23/81; Order FM-77-3, § 212-64-030, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-64-033 Occupancy restrictions. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-033, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-64-035 Number and type of exits. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-035, filed 6/23/81; Order FM-77-3, § 212-64-035, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-64-037 Sleeping room doors. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-037, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
- 212-64-039 Windows for emergency egress or rescue. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-039, filed 6/23/81.] Repealed by 93-05-032

	(Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-015	Inspections and approval. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-015, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-64-040	Fire extinguishers. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-040, filed 6/23/81; Order FM-77-3, § 212-64-040, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-020	Right of appeal. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-020, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-64-043	Automatic detection system. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-043, filed 6/23/81; Order FM-77-3, § 212-64-043, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-025	Contact with local building and fire officials. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-025, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-64-045	Fire alarm system. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-045, filed 6/23/81; Order FM-77-3, § 212-64-045, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-030	Occupancy restrictions. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-030, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-64-050	Hazardous areas. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-050, filed 6/23/81; Order FM-77-3, § 212-64-050, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-035	Hazardous areas. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-035, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-64-055	Fire prevention. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-055, filed 6/23/81; Order FM-77-3, § 212-64-055, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-040	Number and type of exits. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-040, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-64-060	Maintenance. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-060, filed 6/23/81; Order FM-77-3, § 212-64-060, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-045	Sleeping room doors. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-045, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-64-065	Fire evacuation plan. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-065, filed 6/23/81; Order FM-77-3, § 212-64-065, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-050	Windows for emergency egress or rescue. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-050, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-64-067	Fire evacuation drill. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-067, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-055	Automatic detection system. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-055, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-64-068	Staff training. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-068, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-060	Fire alarm system. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-060, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-64-069	Alternate methods. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-069, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-065	Fire extinguishers. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-065, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-64-070	Severability. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-64-070, filed 6/23/81; Order FM-77-3, § 212-64-070, filed 12/8/77.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.	212-65-070	Fire prevention. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-070, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
		212-65-075	Maintenance. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-075, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
		212-65-080	Fire evacuation plan. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-080, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
		212-65-085	Fire evacuation drill. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-085, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
		212-65-090	Staff training. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-090, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
		212-65-095	Alternate methods. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-095, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

Chapter 212-65
GROUP CARE FACILITIES—STANDARDS FOR FIRE
PROTECTION

212-65-001	Purpose. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-001, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-65-005	Definitions. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-005, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
212-65-010	Compliance required. [Statutory Authority: RCW 74.15.050. 81-14-010 (Order FM 81-3), § 212-65-010, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-65-100 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.
Severability. [Statutory Authority: RCW 74.15.050, 81-14-010 (Order FM 81-3), § 212-65-100, filed 6/23/81.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

Chapter 212-70
GROUP CARE FACILITIES FOR SEVERELY AND MULTIPLY-
HANDICAPPED CHILDREN—STANDARDS FOR FIRE
PROTECTION

212-70-010 Purpose. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-010, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-020 Definitions. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-020, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-030 Inspections and approval. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-030, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-040 Right of appeal. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-040, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-050 Contact with local building and fire officials. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-050, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-060 Construction requirements—New construction. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-060, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-070 Construction requirements—Existing facilities. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-070, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-080 Design, operation. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-080, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-090 Additions. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-090, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-100 Mixed occupancies. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-100, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-110 Interior stairway enclosure. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-110, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-120 Other vertical openings. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-120, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-130 Fire alarm. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-130, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-140 Smoke detection system. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-140, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-150 Automatic fire sprinkler system. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-150, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-160 Windows in sleeping rooms. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-160, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-170 Interior finish. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-170, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-180 Exits. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-180, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-190 Exit identification. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-190, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-200 Emergency lighting. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-200, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-210 Staff training. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-210, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-220 Fire and evacuation plan. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-220, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-230 Fire drills. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-230, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-240 Maintenance. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-240, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-250 Alternate methods. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-250, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

212-70-260 Severability. [Statutory Authority: Chapter 74.15 RCW. 84-14-015 (Order FM 84-02), § 212-70-260, filed 6/25/84.] Repealed by 93-05-032 (Order 93-02), filed 2/16/93, effective 3/19/93. Statutory Authority: Chapters 43.63A and 48.48 RCW.

Chapter 212-02 WAC
DESCRIPTION OF FIRE MARSHAL'S OFFICE—
ORGANIZATION, OPERATIONS, OBTAINING
INFORMATION

WAC

212-02-010 General authority, duties and goals of the fire marshal.
212-02-020 Organization and operations.
212-02-030 Functions.
212-02-040 Publications and information available.
212-02-050 Hearings of the state fire marshal.

WAC 212-02-010 General authority, duties and goals of the fire marshal. (1) The state insurance commissioner, an elected state official, also serves as ex officio state fire marshal without additional compensation. The commissioner appoints a chief deputy insurance commissioner and a chief

deputy fire marshal for the discharge of his duties under the insurance code and Fire Marshal Act.

(2) The offices of the state insurance commissioner and the state fire marshal operate independently, even though they do share common support services, and in some instances, joint office space. Combined insurance commissioner/fire marshal offices are maintained in Spokane, Yakima, Richland, Vancouver and Mount Vernon, as well as the state capitol, Olympia. Separate fire marshal offices are also maintained in the Olympia, Seattle and Spokane offices of the state department of social and health services, where the employees of the two agencies work jointly under a contractual state-federal institutional licensing program.

(3) The state fire marshal staff consists of twenty-four deputies and technical employees, and six clerical employees. All, with the exception of the chief fire marshal and an administrative assistant, are employed and governed by the state civil service system.

(4) The duties of the office include the administration of the state fireworks law, inspecting and issuing approvals for various categories of institutional and residential occupancies licensed by the department of social and health services, the investigation of fires of criminal, suspected and undetermined origin, and the dissemination of information to the public on the causes, prevention and reduction of damage from fire.

(5) Additional statutes authorize the fire marshal to establish standards for the prevention of fire and the protection of life and property against fire and panic, govern the use of premises, and conduct inspections to assure conformance to the standards. Subsequent legislative expressly requiring that these functions be performed by local governmental municipalities has resulted in a change in the role of the fire marshal's office from a regulatory function to a supportive function. Also, statutes requiring the fire marshal to establish standards for construction and fire prevention in all schools under the jurisdiction of the superintendent of public instruction and to make plan reviews and construction inspections, have been superseded by the legislative establishment of a state building code and the delegation of administration and enforcement to the various cities, towns and counties of this state.

(6) In addition to the specific functions required or authorized under the law, the fire marshal serves as a source of information and consultation services to other state agencies, units of local government, industry, business and the general public. Technical assistance is provided in the delivery of instructional programs to firemen and police officers in fire and arson investigation. A close liaison has been developed with several federal agencies having mutual interest and/or responsibilities in fire prevention, fire causes and the factors involved in fire origin, spread, severity and results as related to products, materials and devices.

(7) Future plans include taking the lead in the development and establishment of uniform fire reporting and data collection systems, increased emphasis on a public arson awareness program, a more aggressive role in arson investigation and prosecution by the insurance industry and the various disciplines within the criminal justice system, and the assumption of a supporting or coordinating role between the

increasing regulatory involvement of the many federal agencies and the units of local government.

[Order FM-77-1, § 212-02-010, filed 11/17/77; Order FMR-68-3, § 212-02-010, filed 8/23/68, effective 9/23/68.]

WAC 212-02-020 Organization and operations. (1) **Administration.** The administrative staff and technical specialists are situated on the capitol campus in Olympia. The majority of the staff is assigned to specific functions and is situated at various locations throughout the state, but under the direction of the administrative division.

(2) **Health care inspection division.** A supervisor, clerical help and a team of deputy fire marshals are assigned to work directly with department of social and health services in fulfilling the fire marshal's responsibilities in inspecting and approving all hospitals, nursing homes, boarding homes, maternity homes, and facilities treating mental illness or inebriacy prior to licensing by the state. This team operates from offices within the department of social and health services in Olympia, Seattle and Spokane. Their primary duty is the inspection, at least annually, of all the aforementioned licensed facilities and issuing approvals or disapprovals for future operation. Facilities not approved must make the necessary corrections or risk denial, revocation or suspension of their license to operate. Secondary duties of this team includes training facility staffs in fire prevention and fire emergency procedures and the investigation of fires in the facilities to determine the effectiveness of fire-safety features, proficiency of the staff and evaluation of the fire prevention efforts of both the facility and the state.

Also assigned to work directly with the department of social and health services in their Olympia office is a plan review team, which reviews all plans for new construction or major remodeling of licensed facilities and makes field inspections at the construction site to insure compliance. This function is performed under a contract with the department of social and health services, rather than a statutory responsibility on the part of the fire marshal.

(3) **Residential inspection division.** A supervisor, clerical help and a team of deputy fire marshals operate out of offices in Olympia, Seattle and Spokane and work in close association with the department of social and health services in the inspection and approval for licensing of facilities encompassing several categories of full time and part time care of children, and transient accommodations. The primary duties of this team is the inspection or coordination of local inspections for the purpose of issuing approvals or disapprovals for licensing by the state. Secondary duties include fire prevention and fire investigation, in the same manner as the health care team.

(4) **Fire investigation division.** A team of deputy fire marshals operate from combination insurance commissioner/fire marshal offices in Olympia, Mount Vernon, Vancouver, Yakima, Richland and Spokane. Their primary function is the investigation of fires of criminal, suspected or undetermined origin, as reported by fire departments, police departments or insurance adjusters. Results of such investigations are referred to local prosecuting attorneys. Secondary duties include assisting in the enforcement of local fire codes, responding to complaints, answering inquiries and public

education in fire-related matters. Seasonal duties also include inspections and enforcement of the fireworks law.

(5) **Technical assistance.** Specialists in fire prevention, building design, pyrotechnics, codes and related matters are maintained in the administrative office in Olympia to provide assistance to the other deputies and local officials in technical fire-related matters.

[Statutory Authority: Chapter 34.04 RCW. 78-04-076 (Order FM-78-1), § 212-02-020, filed 4/4/78; Order FM-77-1, § 212-02-020, filed 11/17/77; Order FMR-68-3, § 212-02-020, filed 8/23/68, effective 9/23/68.]

WAC 212-02-030 Functions. (1) The licensing function involves the adoption of recognized standards applicable to each category or licensed facility and the inspection prior to licensing to insure compliance. Where local officials are qualified and agreeable, they may make the inspections on behalf of the fire marshal. The specific requirements and manner of enforcement are covered in detail in other regulations.

(2) The fire investigation function involves all deputy fire marshals in varying degrees and for different specific purposes. Deputies assigned to inspection teams investigate fires in those specific facilities to evaluate the effectiveness/ineffectiveness of the regulations and to prevent future similar occurrences.

The fire investigation division concentrates primarily on those fires which cannot be definitely determined to be accidental by the local investigator. Where criminality can be established, the deputy works directly with the local law enforcement agency in developing sufficient factual evidence for prosecution.

With the advent of recent legislation mandating the investigation of all fires by each city, town and county to determine the cause, origin and circumstances, the role of the fire marshal has become that of a technical specialist, assisting local investigators when requested, and monitoring the effectiveness of fire investigations in general. The fire marshal assigns all fires of criminal, suspected or undetermined origin reported or made known to him to the fire investigation division for follow-up. Assistance may or may not be provided, in accordance with local needs. Deputies follow these fires through the investigation and prosecution phases in order to establish statewide statistics and ascertain other factors which will produce better results.

Another important function in fire investigation is that of establishing responsibility for noncriminal fires. Negligence, product liability and design deficiencies play a key role in fire cause and spread. The fire marshal attempts to document these factors with sufficient certainty to allow recovery by innocent victims and establish the need and justification for additional standards by industry or regulatory agencies.

The ultimate failure in any fire is where serious injury or death results. The fire marshal attempts to expend special effort in the investigation of these fires to accurately determine not only the cause of the fire but the reason the victims were unable to escape unharmed.

(3) The fireworks function involves the administration of the fireworks law, including the regulation of fireworks and the licensing of manufacturers, wholesalers, retailers, importers/exporters, public displays, and pyrotechnic operators. Included in this general function but the subject of sepa-

rate rules, is the regulation of model and experimental rocketry.

(4) Local support, assistance. Recent legislation established building and fire codes in each city, town and county and mandated enforcement at the local level. This responsibility was new to many municipalities and an increasingly greater amount of the fire marshal's time and effort is being directed toward assisting the smaller towns and counties in fulfilling this responsibility through training, advice and assistance.

(5) Public education. The fire marshal is committed to the principle that more can be accomplished in the furtherance of fire prevention through education than by enforcement or regulation. An informed populace will voluntarily comply with the majority of fire safety standards, which are based on common sense and experience. The mandated responsibilities of the fire marshal must be accomplished first with the discretionary functions, such as public education, limited to the time and resources available. By a greater involvement of local officials in performing some of the duties required of the fire marshal, more time and resources are available to, in turn, assist these same officials in public education efforts.

(6) Other functions. The fire marshal serves as a source of information and advice to all levels of government, business, industry and the general public. The headquarters and zone offices are staffed with full time clerical persons to receive telephone, mail and personal inquiries. The deputies and the technical specialists are qualified to answer questions on most all inquiries involving fire and life safety, regulations, etc. A substantial part of the fire marshal's time is involved in this activity.

[Statutory Authority: Chapter 34.04 RCW. 78-04-076 (Order FM-78-1), § 212-02-030, filed 4/4/78; Order FM-77-1, § 212-02-030, filed 11/17/77; Order FMR-68-3, § 212-02-030, filed 8/23/68, effective 9/23/68.]

WAC 212-02-040 Publications and information available. (1) Regulations of the fire marshal may be obtained from the Washington state code reviser's office in Olympia or any of the fire marshal's offices on the following subjects: Fire Marshal Standards, chapter 212-12 WAC

Fire protection systems and equipment, chapter 212-14 WAC

Fireworks, chapter 212-16 WAC

Model rocketry, chapter 212-20 WAC

Hospitals, chapter 212-28 WAC

Nursing homes, chapter 212-32 WAC

Boarding homes, chapter 212-36 WAC

Private establishments, chapter 212-40 WAC

Maternity homes, chapter 212-44 WAC

Transient accommodations, chapter 212-52 WAC

Group home in family abode, chapter 212-56 WAC

Group home other than in family abode, chapter 212-57 WAC

Group home for developmentally disabled persons, chapter 212-58 WAC

Mini day care center in family abode, chapter 212-59 WAC

Mini day care center other than in family abode, chapter 212-60 WAC

Day care center in family abode, chapter 212-61 WAC

Day care center and day treatment program other than in family abode, chapter 212-62 WAC

Child care institutions, chapter 212-63 WAC

Maternity service, chapter 212-64 WAC

Fire reporting (proposed)

Fire investigation (proposed)

(2) Various bulletins, publications and fire prevention items are available upon request from any of the fire marshal offices.

(3) Annual report. The fire marshal is required to make an annual report to the governor, pursuant to RCW 48.48-110. This report is contained in the insurance commissioner's annual report, available from this office.

[Order FM-77-1, § 212-02-040, filed 11/17/77; Order FMR-68-3, § 212-02-040, filed 8/23/68, effective 9/23/68.]

WAC 212-02-050 Hearings of the state fire marshal.

(1) Hearings of the fire marshal's office are conducted according to the Administrative Procedure Act (chapter 34.04 RCW) and chapter 48.04 RCW. Essentially, there are two types of hearings conducted - rule-making hearings and contested cases, the latter including appeals from disciplinary actions taken by the fire marshal. Under RCW 48.04.010 the fire marshal is required to hold a hearing upon demand by any person aggrieved by any act, threatened act, or failure of the fire marshal to act, if such failure is deemed an act under the code, or by any report, promulgation, or order of the fire marshal other than an order on a hearing of which such person was given actual notice or at which such person appeared as a party, or order pursuant to the order on such hearing. Requests for hearings must be made in writing, must specify how the person making the demand has been aggrieved by the office of the fire marshal, and the demand must specify the grounds to be relied upon as the basis for the relief sought.

(2) "Contested case" hearings of the fire marshal are informal in nature, and formal rules of pleading and evidence are not required. Generally, the fire marshal or his chief deputy sit as hearing examiner, but the fire marshal may appoint a special hearing examiner in technical matters, who would then prepare a decision for the fire marshal to approve or disapprove. A person wishing a full stenographic record of the proceeding must seasonably make a written request to the fire marshal. Where such requests are not made, the hearing is recorded on tape and transcribed if appeal from the fire marshal's order is made to the superior court. The fire marshal allows any person affected by the hearing to be present during the giving of all testimony and will allow him a reasonable opportunity to inspect all documentary evidence, to examine witnesses and to present evidence in support of his interest. Any person heard must make full disclosure of the facts pertinent to the inquiry. (The foregoing is provided by chapter 34.04 RCW.) Unless a person aggrieved by an order of the fire marshal demands a hearing thereon within ninety days after receiving notice of such order, the right to such a hearing shall conclusively be deemed have been waived. (RCW 48.04.010(3)). The fire marshal must hold any hearing demanded with [within] thirty days after receipt of the demand, unless postponed by mutual consent.

(3) Rule-making hearings. Rule-making hearings of the fire marshal are conducted pursuant to chapter 34.04 RCW (the Administrative Procedure Act), and chapters 42.32 and

48.04 RCW. Under applicable law all interested parties must be afforded an opportunity to express their views concerning a proposed regulation of the fire marshal's office, either orally or in writing: Provided, however, That no rule or regulation can be adopted unless in a public meeting, as required by chapter 42.32 RCW and the Administrative Procedure Act, chapter 34.04 RCW. Notice of intention of the fire marshal to adopt a proposed rule or regulation is sent to the press, as required by chapter 42.32 RCW, to anyone who has requested in advance that the notice be given to him and to all persons whom the fire marshal determined would be interested in the proceeding.

[Order FM-77-1, § 212-02-050, filed 11/17/77; Order F-75-1, § 212-02-050, filed 5/19/75.]

Chapter 212-10 WAC

SMOKE DETECTION DEVICES IN DWELLING UNITS

WAC

212-10-010	Administration, authority.
212-10-015	Application and scope.
212-10-020	Definitions.
212-10-025	Conformance with nationally accepted standards.
212-10-030	Primary power supply.
212-10-035	Number of smoke detection devices.
212-10-040	Location of smoke detection devices.
212-10-045	Installation.
212-10-050	Maintenance.
212-10-055	Penalties.
212-10-060	Severability.

WAC 212-10-010 Administration, authority. These rules are adopted pursuant to chapter 50, Laws of 1980, entitled smoke detection devices in dwelling units, and to RCW 48.48.140 to provide for the installation and maintenance of smoke detection devices inside all dwelling units (1) occupied by persons other than the owner, or (2) built or manufactured in this state.

[Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-010, filed 2/4/81.]

WAC 212-10-015 Application and scope. (1) The provisions of these rules shall apply to (a) all dwelling units occupied by persons other than the owner after December 31, 1981, and (b) all dwelling units built or manufactured in this state after December 31, 1980.

(2) Notwithstanding the provisions of chapter 19.27 RCW, RCW 43.22.340 through 43.22.434 and 43.22.450 through 43.22.490, the provisions of these rules shall also apply to all buildings or structures, mobile homes and factory built housing used as dwelling units.

[Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-015, filed 2/4/81.]

WAC 212-10-020 Definitions. (1) **Smoke detection device.** A self-contained alarm for detecting visible or invisible particles of combustion, which consists of an assembly of electrical components including a smoke chamber, alarm sounding appliance, and provision for connection to a power supply source, either by splice leads or a cord and plug arrangement or containing integral batteries. A supplemental heat detector may be included as part of the appliance. Termi-

nals may be included for connection to a remote, audible signaling appliance or accessory. An integral transmitter may also be included to energize a remote audible signaling appliance. The smoke detection device may be of the photoelectric and/or ionization type.

(2) **Photoelectric detector.** A smoke detection device which activates when visible smoke from a fire enters the detector. Sensitive to smoldering fires as well as smoke generated by an open flame fire.

(3) **Ionization detector.** A smoke detection device which activates in response to invisible particles created by combustion. Sensitive to open flame fire.

(4) **Combination photoelectric/ionization detector.** A smoke detection device containing both an ionization and a photoelectric element.

(5) **Dwelling unit.** A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

(6) **Factory built housing.** For the purpose of these rules, factory built housing is considered as any structure designed primarily for human occupancy other than a mobile home, the structure of any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site, and which is subject to regulation by the Washington department of labor and industries pursuant to RCW 43.22.450 through 43.22.490.

(7) **Mobile home.** For the purpose of these rules, a mobile home is considered as a factory-assembled structure or structures assembled with the necessary service connections and made so as to be readily movable as a unit or units on its (their) own running gear and designed to be used as a dwelling unit without a permanent foundation, and which is subject to regulation by the Washington department of labor and industries pursuant to RCW 43.22.340 through 43.22.-434.

(8) **New building.** For the purpose of these rules, a new building is considered as any structure constructed, erected or moved onto a permanent site on or after December 31, 1980, any portion of which is used or intended for use as a dwelling unit by any person or persons.

(9) **Existing building.** For the purpose of these rules an existing building is considered as any structure in existence prior to December 31, 1981, any portion of which is used, intended for use or thereafter converted for use as a dwelling unit by any person or persons other than the owner who do not otherwise qualify as a guest or member of the household of the owner.

[Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-020, filed 2/4/81.]

WAC 212-10-025 Conformance with nationally accepted standards. All smoke detection devices shall be designed and manufactured in conformance with the requirements of Underwriters Laboratories, Inc. Standard UL 217 or International Conference of Building Officials Standard 43-6, and shall be approved or listed for the purposes for which they are intended.

[Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-025, filed 2/4/81.]

(2007 Ed.)

WAC 212-10-030 Primary power supply. The primary power supply of a smoke detection device shall be either a commercial light and power source normally available in the dwelling unit, or an integral battery or batteries. Connection to a commercial power and light source, if used, shall be in the form of permanent wiring to terminals or leads in a separate wiring compartment having provision for the connection of a conduit, metal-clad or nonmetallic sheathed cable, by means of a power supply cord and attachment-plug cap, or by means of a separate power supply. EXCEPTION: Smoke detection devices in dwelling units built or manufactured in this state after December 31, 1980, shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent without a disconnecting switch other than those required for overcurrent protection.

[Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-030, filed 2/4/81.]

WAC 212-10-035 Number of smoke detection devices. (1) At least one smoke detection device shall be installed to protect the sleeping area within each dwelling unit. A sleeping area is defined as the area or areas of the dwelling unit in which the bedrooms (or sleeping rooms) are located. Where bedrooms or rooms ordinarily used for sleeping are separated by other-use areas (such as kitchens or living rooms but not bathrooms or closets), or are located on different stories or floor levels, they shall be considered as separate sleeping areas for the purposes of these rules.

(2) Dwelling units with more than one sleeping area shall require the installation of additional smoke detection devices to protect each sleeping area.

[Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-035, filed 2/4/81.]

WAC 212-10-040 Location of smoke detection devices. (1) Smoke detection devices shall be installed outside of bedrooms or rooms used for sleeping purposes but in the immediate vicinity of such rooms, centrally located in the corridor or area giving access to the rooms. In dwelling units without separate sleeping rooms, the smoke detection devices shall be centrally located in the main room. Smoke detection devices shall be located on or near the ceiling. NOTE: Smoke detection devices should be installed in those locations recommended by the manufacturer except in those cases where the space above the ceiling is open to the outside and little or no insulation is present over the ceiling. Such cases result in the ceiling being excessively cold in the winter time or excessively hot in the summer time. Where the ceiling is significantly different in temperature from the air space below, smoke has difficulty reaching the ceiling and to a detector which may be placed there. In this situation, placement of the detector on a side wall, with the top four inches to twelve inches from the ceiling is preferred. In dwelling units employing radiant heating in the ceiling, the wall location is the preferred location. Radiant heating in the ceiling can create a hot-air boundary layer along the ceiling surface which can seriously restrict the movement of smoke to a ceiling-mounted detector.

(2) A smoke detection device installed in a stairwell shall be so located as to assure that smoke rising in the stairwell

cannot be prevented from reaching the detection device by an intervening door or obstruction.

(3) Smoke detection devices in rooms with ceiling slopes greater than one-foot rise per eight feet horizontally shall be located at the high side of the room.

(4) Smoke detection devices shall not be mounted in front of an air supply duct outlet or between the bedroom and the furnace cold air return.

[Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-040, filed 2/4/81.]

WAC 212-10-045 Installation. (1) It is the responsibility of the builder or manufacturer of each new building, mobile home or factory built housing to install smoke detection devices within each dwelling unit.

(2) It is the responsibility of the owner of each existing building, mobile home or factory built housing to install smoke detection devices within each dwelling unit occupied by persons other than the owner.

(3) It is the responsibility of the owner of each new or existing building, mobile home or factory built housing, containing dwelling units occupied by persons other than the owner, to inspect and test all smoke detection devices at the time of vacancy and make the necessary repairs or replacements to insure that the smoke detection devices are operational prior to reoccupancy, and to instruct the occupants of the purpose, operation and maintenance of the smoke detection device(s).

[Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-045, filed 2/4/81.]

WAC 212-10-050 Maintenance. It is the responsibility of the occupant of all new or existing dwelling units, owned by other than the occupant, to maintain and test all smoke detection devices installed within the dwelling unit by the owner. Actual costs of maintenance, repair or replacement of smoke detection devices shall be as agreed beforehand by the occupant and owner. However, failure of the owner to abide by the terms of any such agreement does not relieve the occupant of the responsibility to maintain the smoke detection devices in a fully operational condition at all times. Failure to do so can subject the occupant to the penalty provisions of WAC 212-10-055.

[Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-050, filed 2/4/81.]

WAC 212-10-055 Penalties. Any person who violates any of the provisions of RCW 48.48.140 or these rules shall be punished by a fine of not more than fifty dollars.

[Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-055, filed 2/4/81.]

WAC 212-10-060 Severability. If any provision of these rules or its application to any person is held invalid, the remainder of the rules or the application of the provision to other persons or circumstances is not affected.

[Statutory Authority: RCW 48.48.140. 81-04-058 (Order FM 81-2), § 212-10-060, filed 2/4/81.]

[Title 212 WAC—p. 26]

Chapter 212-12 WAC FIRE MARSHAL STANDARDS

WAC

212-12-001	Purpose.
212-12-005	Definitions.
212-12-010	Adoption of fire safety standards.
212-12-011	Applicability.
212-12-015	Compliance.
212-12-020	Inspection.
212-12-025	Right of appeal.
212-12-030	Standards.
212-12-035	Special requirements.
212-12-040	Fire emergency plan.
212-12-044	Fire drills.

EMERGENCY RESPITE CENTER—STANDARD FOR FIRE PROTECTION GROUP "LC" OCCUPANCY

212-12-200	Purpose.
212-12-210	Definitions.
212-12-220	Applicability.
212-12-230	Compliance.
212-12-240	Inspection.
212-12-250	Approval.
212-12-260	Right of appeal.
212-12-270	Local codes.
212-12-280	Standards.
212-12-290	Construction requirements.
212-12-300	Modernization or renovation.
212-12-310	Additions.
212-12-320	Design, operation.
212-12-330	Staffing requirements.
212-12-340	Fire extinguishers.
212-12-350	Lighting.
212-12-360	Protection from hazards.
212-12-370	Sprinkler systems.
212-12-380	Fire alarm.
212-12-390	Smoke detection.
212-12-400	Equipment, inspection, testing and maintenance.
212-12-410	Severability.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

212-12-045	Standards of safety—Codes adopted as applicable to hospitals, nursing and boarding homes and private psychiatric hospitals. [Rule promulgated 4/24/57.] Repealed by Order FMR 68-1, filed 5/2/68, effective 6/1/68.
212-12-046	Safety standards for jurisdictions having no comprehensive fire protection and safety code—Nursing homes, hospitals, boarding homes, maternity homes, "private establishments," and child welfare agencies—Adoption by reference of 1961 codes—Savings clause. [Order 337 (part), filed 10/26/67, effective 11/24/67; Regulation 182, filed 3/22/63.] Repealed by Order FMR 68-1, filed 5/2/68, effective 6/1/68.
212-12-047	Existing hospitals, etc. Minimum standards for continuation of fire approval for existing use or occupancy under any savings clause heretofore applicable. Effective date. [Order FMR-69-2, § 212-12-047, filed 8/12/69; Emergency Order RMR-69-2, § 212-12-047, filed 6/26/69; Order 337 (part), § 212-12-047, filed 10/26/67, effective 11/24/67; Regulation 238, filed 12/14/65.] Repealed by Order FM-77-2, filed 11/17/77.
212-12-050	Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
212-12-055	Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Definitions. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
212-12-060	Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Building construction. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
212-12-065	Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Exit facilities. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.

- 212-12-070 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Aisles and corridors. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
- 212-12-075 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Openings in enclosure areas. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
- 212-12-080 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Enclosure of basement stairs, etc. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
- 212-12-085 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Separation of hazardous areas and sprinkler systems. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
- 212-12-090 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Heating. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
- 212-12-095 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Exterior stairs. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
- 212-12-100 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Lighting. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
- 212-12-105 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Draft stops. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
- 212-12-110 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Fire extinguishing equipment. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
- 212-12-115 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Alarm system. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
- 212-12-120 Building exits code (1949) adopted for licensed institutions, nursing and maternity homes—Interpretive policy—Miscellaneous. [Filed 3/22/60.] Repealed by Order F-71-1, filed 8/10/71.
- 212-12-990 Appendix A—History and background of Regulation 238 [WAC 212-12-047]. [Order 238, Appendix A (codified as WAC 212-12-990), filed 12/14/65, effective 1/15/66.] Repealed by Order FM-77-2, filed 11/17/77.

WAC 212-12-001 Purpose. The purpose of this chapter is to prescribe regulations consistent with nationally recognized good practice for the safeguarding of life and property from the hazards of fire, explosion, and panic. The director of fire protection is authorized to administer and enforce this chapter.

[Statutory Authority: Chapter 19.27 RCW. 02-16-023, § 212-12-001, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. 93-05-032 (Order 93-02), § 212-12-001, filed 2/16/93, effective 3/19/93.]

WAC 212-12-005 Definitions. Unless otherwise clarified in this section, definitions in the State Building Code shall apply to this chapter. The following definitions shall also apply to this chapter:

(1) "Adult residential rehabilitation center" means a residence, place, or center, including private adult treatment homes, licensed by the department of health under chapter 71.12 RCW and chapter 246-325 WAC. Adult residential rehabilitation facilities shall be classified as a Group LC Occupancy.

(2) "Alcoholism hospital" means facilities or institutions licensed by the department of health under chapter 71.12

RCW and chapter 246-322 WAC. Alcoholism hospitals shall be classified as a Group I, Division 1.1 Occupancy.

(3) "Alcoholism intensive inpatient treatment services" means those services licensed by the department of health under chapter 71.12 RCW and chapter 246-326 WAC. Alcoholism intensive inpatient treatment services shall be classified as a Group LC Occupancy.

(4) "Alcoholism treatment facility" means a facility operated primarily for the treatment of alcoholism licensed by the department of health under chapter 71.12 RCW and chapter 246-362 WAC. Alcoholism treatment facilities shall be classified as follows:

(a) "Alcoholism detoxification services":

(i) Acute: Group I, Division 1.1.

(ii) Sub-acute: A Group LC Occupancy.

(b) "Alcoholism long term treatment services": Alcoholism long term treatment services shall be classified as a Group LC Occupancy.

(c) "Alcohol recovery house services": Alcohol recovery house services shall be classified as a Group LC Occupancy.

(5) "Ambulatory" means physically and mentally capable of walking or traversing a normal path to safety, including the ascent and descent of stairs, without the physical assistance of another person.

(6) "Approved" refers to approval by the director of fire protection as a result of investigation and tests conducted by the director of fire protection or by reason of accepted principles or tests by national authorities, or technical or scientific organizations.

(7) "Authority having jurisdiction" is the director of fire protection or authorized deputy or designee.

(8) "Assistant state fire marshal" means the assistant state fire marshal who manages a specific division within the fire protection bureau or as designated by the director of fire protection.

(9) "Bed and breakfast": See transient accommodation definition in this section.

(10) "Boarding home" means any home or other institution licensed by the department of health under chapter 18.20 RCW and chapter 388-78A WAC. Boarding homes shall be classified as a Group LC Occupancy.

(11) "Building official" means the designated authority appointed by the governing body of each city or county who is in charge of the administration and enforcement of the Uniform Building Code.

(12) "Child birth center" means a facility or institution licensed by the department of health under chapter 18.46 RCW and chapter 246-329 WAC. Child birth centers shall be classified as a Group B Occupancy.

(13) "Child day care center" means an agency which provides child day care outside the abode of the licensee or for thirteen or more children in the abode of the licensee. Such facilities are licensed by the department of social and health services under chapter 74.15 RCW and chapter 388-150 WAC. Child day care centers shall be classified as a Group E, Division 3 Occupancy.

(14) "Director of fire protection" means the director of the fire protection bureau in the Washington state patrol or authorized deputy or designee.

(15) "Evaluation process" means the initial steps in the informal appeals process established by the director of fire protection under the authority of RCW 34.05.060.

(16) "Family child day care home" means a child day care facility located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home. Such facilities are licensed by the department of social and health services under chapter 74.15 RCW and chapter 388-155 WAC. Family child day care homes shall be classified as a Group R, Division 3 Occupancy.

(17) "Fire official" means the person or other designated authority appointed by the city or county for the administration and enforcement of the Uniform Fire Code.

(18) "Group care facility" means a facility licensed by the department of social and health services under chapter 74.15 RCW and chapter 388-73 WAC. Group care facilities shall be classified as a Group LC Occupancy.

(19) "Group care facilities for severely and multiply handicapped children" means facilities which are maintained and operated for the care of a group of children as licensed by the department of social and health services under chapter 74.15 RCW and chapter 388-73 WAC. Group care facilities for severely and multiply handicapped children shall be classified as:

(a) A Group LC Occupancy.

(b) Group I, Division 1.1 Occupancy when accommodating more than sixteen nonambulatory clients or residents, excluding staff.

(c) Group I, Division 3 Occupancy when accommodating any number of restrained persons.

(20) "Hospice care center" means any building, facility, or place licensed by the department of health under chapter 70.41 RCW and chapter 246-321 WAC. Hospice care centers shall be classified as a Group I, Division 1.1 Occupancy.

(21) "Hospital" means an institution, place, building, or agency licensed by the department of health under chapter 70.41 RCW and chapter 246-318 WAC. Hospitals shall be classified as a Group I, Division 1.1 Occupancy.

(22) "Nonambulatory" means physically or mentally unable to walk or traverse a normal path to safety without the physical assistance of another person.

(23) "Nursing home" means any home, place, or institution licensed by the department of social and health services under chapter 18.51 RCW and chapter 248-14 WAC. Nursing homes shall be classified as a Group I, Division 1.1 Occupancy.

(24) "Private adult treatment home" means the same as an adult residential rehabilitation center as defined in (1) of this section.

(25) "Psychiatric hospital" means an institution licensed by the department of health under chapter 71.12 RCW and chapter 246-322 WAC. Psychiatric hospitals shall be classified as a Group I, Division 3 Occupancy.

(26) "Residential treatment facility for psychiatrically impaired children and youth" means a residence, place, or facility licensed by the department of health under chapter 71.12 RCW and chapter 246-323 WAC. Residential treatment facilities for psychiatrically impaired children and youth shall be classified as:

(a) A Group LC Occupancy.

(b) Group I, Division 1.1 Occupancy when accommodating more than sixteen nonambulatory, nonrestrained clients or residents, excluding staff.

(c) Group I, Division 3 Occupancy when accommodating any number of restrained persons.

(27) "State fire marshal" means the director of fire protection or authorized deputy or designee.

(28) "Transient accommodation" means any facility licensed by the department of health under chapter 70.62 RCW and chapter 246-360 WAC and shall include bed and breakfast inns. Transient accommodations shall be classified as a Group R, Division 1 Occupancy when accommodating more than ten persons and a Group R, Division 3 Occupancy when accommodating ten or less persons.

[Statutory Authority: Chapter 19.27 RCW. 02-16-023, § 212-12-005, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. 93-05-032 (Order 93-02), § 212-12-005, filed 2/16/93, effective 3/19/93.]

WAC 212-12-010 Adoption of fire safety standards.

(1) **Application.** This regulation shall apply to:

(a) Transient accommodations (RCW 70.62.290).

(b) Nursing homes (RCW 18.51.140).

(c) Hospitals (RCW 70.41.080).

(d) Boarding homes (RCW 18.20.130).

(e) Private establishments; i.e. private, mental, and alcoholic hospitals (RCW 71.12.485).

(f) Child birth center (RCW 18.46.110).

(g) Agencies licensed by the department of social and health services pursuant to chapter 74.15 RCW, RCW 74.32.040 through 74.32.055, and 74.13.031, except foster family homes and child placing agencies.

(h) Schools under the jurisdiction of the superintendent of public instruction and the state board of education (RCW 48.48.045).

(2) **Purpose.** The purpose of these standards is to specify measures which will provide a reasonable degree of public safety from fire without involving hardship or interference with the normal use and occupancy of a building.

(3) **Fire safety standards.** The fire safety standards of the director of fire protection shall be as follows:

(a) The fire safety standards or applicable portions thereof as found or referenced in the State Building Code Act, chapter 19.27 RCW.

(b) The 1985 edition of the National Fire Protection Association Life Safety Code 101.

(c) Those standards of the National Fire Protection Association applicable to and expressly or impliedly referenced in the Life Safety Code.

(4) **Enforcement.** Enforcement of these fire safety standards shall be as follows:

(a) New construction or major remodeling shall be in conformance with the Uniform Building Code and the Uniform Fire Code, as administered by state and local officials having jurisdiction.

(b) Operation and maintenance shall be in conformance with the Uniform Fire Code, as administered by state and local officials having jurisdiction.

(c) Existing licensed occupancies previously approved by the state fire marshal as in conformance with the standards

then in effect shall have their existing use or occupancy continued, provided such continued use is not dangerous to life and is acceptable to the local fire and building officials having jurisdiction.

(d) Occupancies, operations or processes not specifically covered elsewhere, in which the director of fire protection has responsibilities for the removal of fire hazards, shall be conducted and/or maintained in accordance with the latest edition of the National Fire Protection Association Fire Codes which shall be deemed prima facie evidence of good practice.

[Statutory Authority: Chapter 19.27 RCW. 02-16-023, § 212-12-010, filed 7/29/02, effective 8/29/02; Order FM-77-2, § 212-12-010, filed 11/17/77; Order F-72-1, § 212-12-010, filed 1/24/72; Order F-71-1, § 212-12-010, filed 8/10/71; Order FMR-68-1, § 212-12-010, filed 5/2/68, effective 6/1/68; filed 3/22/60.]

WAC 212-12-011 Applicability. This chapter shall apply to:

- (1) Child birth centers.
- (2) Transient accommodations.
- (3) Nursing homes.
- (4) Hospice care centers.
- (5) Hospitals.
- (6) Boarding homes.
- (7) Child day care centers.
- (8) Family child day care homes.
- (9) Private establishments: I.e., adult residential rehabilitation facilities, alcoholism hospitals, alcoholism treatment facilities, psychiatric hospitals, and residential treatment facilities for psychiatrically impaired children and youth.
- (10) Facilities licensed by the department of social and health services, except foster family homes and child placing agencies.
- (11) Schools under the jurisdiction of the superintendent of public instruction and the state board of education (RCW 48.48.045).
- (12) Public buildings (RCW 48.48.030).

[Statutory Authority: Chapter 19.27 RCW. 02-16-023, § 212-12-011, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. 93-05-032 (Order 93-02), § 212-12-011, filed 2/16/93, effective 3/19/93.]

WAC 212-12-015 Compliance. (1) The director of fire protection has the responsibility under WAC 212-12-010, chapters 19.27 and 48.48 RCW, and chapters 51-40, 51-42, 51-44, and 51-45 WAC to require occupancies, operations, or processes to be conducted and/or maintained so as not to pose a hazard to life or property and for the removal of fire and life safety hazards.

(2) New construction or remodeling shall be in conformance with the State Building Code Act and chapters 19.27 and 48.48 RCW.

(3) All occupancies, operations, or processes in which the director of fire protection has responsibility shall comply with the provisions of this chapter.

[Statutory Authority: Chapter 19.27 RCW. 02-16-023, § 212-12-015, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. 93-05-032 (Order 93-02), § 212-12-015, filed 2/16/93, effective 3/19/93.]

(2007 Ed.)

WAC 212-12-020 Inspection. (1) The director of fire protection shall have the authority to:

(a) Enter upon and examine any building or premises where any fire has occurred and other buildings and premises adjoining or near thereto per RCW 48.48.030(1), 48.48.060, 48.48.070, and 48.48.080.

(b) Enter upon and examine any public building or premises to inspect for fire hazards per RCW 48.48.030(2), 48.48.040, 48.48.045, and 48.48.050.

(c) Collect and disseminate statistical information and reports per RCW 48.48.065.

(2) The director of fire protection may designate another person or agency to conduct the inspection.

[Statutory Authority: Chapter 19.27 RCW. 02-16-023, § 212-12-020, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. 93-05-032 (Order 93-02), § 212-12-020, filed 2/16/93, effective 3/19/93.]

WAC 212-12-025 Right of appeal. Any person may appeal any decision made by fire protection bureau under this chapter through the following procedure:

(1) The first level of appeal is to the assistant state fire marshal. The appeal must be submitted in writing to the assistant state fire marshal within thirty days of receipt of the decision in question. The assistant state fire marshal shall reply to the appellant within ten days of receipt of such appeal.

(2) The second level of appeal is to the director of fire protection. If the appellant wishes to appeal the decision of the assistant state fire marshal, he/she shall, within ten days of the receipt of that decision, submit a written appeal to the director of fire protection. The director of fire protection shall reply to the appellant within ten days of receipt of such appeal.

(3) Should this process not satisfy the appellant, he or she may further appeal per chapter 34.05 RCW.

[Statutory Authority: Chapter 19.27 RCW. 02-16-023, § 212-12-025, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. 93-05-032 (Order 93-02), § 212-12-025, filed 2/16/93, effective 3/19/93.]

WAC 212-12-030 Standards. The fire and life safety standards of the fire protection bureau shall include the following:

(1) Chapter 51-40 WAC, State Building Code adoption of the 1997 edition of the Uniform Building Code, standards and amendments.

(2) Chapter 51-42 WAC, State Building Code adoption of the 1997 edition of the Uniform Mechanical Code, standards and amendments.

(3) Chapter 51-44 WAC, State Building Code adoption of the 1997 edition of the Uniform Fire Code, and amendments.

(4) Chapter 51-45 WAC, State Building Code adoption of the 1997 edition of the Uniform Fire Code Standards.

[Statutory Authority: Chapter 19.27 RCW. 02-16-023, § 212-12-030, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. 93-05-032 (Order 93-02), § 212-12-030, filed 2/16/93, effective 3/19/93.]

WAC 212-12-035 Special requirements. In addition to the fire and life safety standards listed in WAC 212-12-030, the following shall apply:

(1) In nursing homes, fire alarm system annunciators shall be provided where the system serves more than one floor, one fire or smoke division, or one building. They shall be located at each main nurses' station on each floor, fire or smoke division, and/or building.

(2) In all Group E-3, I, LC Occupancies, annual certification of fire alarm systems shall be performed by the holder of a current low-voltage electrical contractors specialty license issued by the department of labor and industries.

(3) Every story, and basements of Group LC Occupancies shall have not less than two exits.

Exception: Basements used exclusively for the service of the building may have one exit. For the purpose of this exception, storage rooms, laundry rooms, maintenance offices, and similar uses shall not be considered as providing service to the building.

(4) In all Groups E-3, I, and LC Occupancies, emergency lighting for means of egress shall be provided. Emergency systems shall activate automatically in a power failure and be supplied from storage batteries or an on-site generator set. The system shall be installed in accordance with the requirements of the Electrical Code.

[Statutory Authority: Chapter 19.27 RCW. 02-16-023, § 212-12-035, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. 93-05-032 (Order 93-02), § 212-12-035, filed 2/16/93, effective 3/19/93.]

WAC 212-12-040 Fire emergency plan. All Group I, Group E, Group LC and Group R Occupancies shall develop and maintain a written fire emergency plan. The plan shall include the following:

- (1) Action to take by the person discovering a fire.
- (2) Method of sounding an alarm on the premises.
- (3) Actions to take for evacuation and assuring accountability of the occupants.
- (4) An evacuation floor plan identifying exits.
- (5) In Group R, Division 1 Occupancies and Group R, Division 3 Occupancies used as transient accommodations, a copy of the written evacuation plan shall be posted in each guest room.

[Statutory Authority: Chapter 19.27 RCW. 02-16-023, § 212-12-040, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48 RCW. 93-05-032 (Order 93-02), § 212-12-040, filed 2/16/93, effective 3/19/93.]

WAC 212-12-044 Fire drills. In all Group I, Group E, Group LC, and Group R Occupancies, at least twelve planned fire drills shall be held every year. Drills shall be conducted quarterly on each shift in Group I, Group R, and Group LC Occupancies and monthly in Group E Occupancies to familiarize personnel with signals and emergency action required under varied conditions. A detailed written record of all fire drills shall be maintained and available for inspection at all times. When drills are conducted between 9:00 p.m. and 6:00 a.m., a coded announcement may be used instead of audible alarms. Fire drills shall include the transmission of a fire alarm signal and simulation of emergency conditions. The fire alarm monitoring company shall be notified prior to the activation of the fire alarm system for drill purposes and again at the conclusion of the transmission and restoration of the fire alarm system to normal mode.

[Statutory Authority: Chapter 19.27 RCW. 02-16-023, § 212-12-044, filed 7/29/02, effective 8/29/02. Statutory Authority: Chapters 43.63A and 48.48

RCW. 93-05-032 (Order 93-02), § 212-12-044, filed 2/16/93, effective 3/19/93.]

EMERGENCY RESPITE CENTER—STANDARD FOR FIRE PROTECTION GROUP "LC" OCCUPANCY

WAC 212-12-200 Purpose. The purpose of this regulation is to adopt recognized standards for emergency respite centers to protect life against the cause and spread of fire and fire hazards pursuant to RCW 74.15.050. Emergency respite centers are licensed by the department of social and health services (DSHS) and maintained and operated to provide emergency respite care within buildings that have been given an occupancy classification of LC.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-200, filed 3/3/03, effective 4/3/03.]

WAC 212-12-210 Definitions. The following definitions shall apply to this regulation:

(1) "Emergency respite center" is an agency that may be commonly known as a crisis nursery, that provides emergency and crisis care for up to seventy-two hours to children who have been admitted by their parents or guardians to prevent abuse or neglect. Emergency respite centers may operate for up to twenty-four hours a day, and for up to seven days a week. Emergency respite centers may provide care for children ages birth through seventeen, and for persons eighteen through twenty with developmental disabilities who are admitted with a sibling or siblings through age seventeen. Emergency respite centers may not substitute for crisis residential centers or HOPE centers, or any other services defined under this section, and may not substitute for services which are required under chapter 13.32A or 13.34 RCW.

(2) "LC Occupancy" means a building, structure, or portion thereof, used for the business of providing licensed care to clients pursuant to state building code WAC 51-40-313.

(3) "Licensing agency" means the Washington state department of social and health services.

(4) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the building code, adopted by the State Building Code Act.

(5) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Fire Code, adopted by the State Building Code Act.

(6) "State Building Code Act" means chapter 19.27 RCW, effective January 1, 1975, which establishes statewide building and fire prevention codes and mandates enforcement by each city, town and county.

(7) "Evacuation capability"

Evacuation capability is the ability of clients of a emergency respite center to respond to an emergency situation and either evacuate a building or move to a point of safety. Clients shall be classified in one of the following levels:

- Level I persons physically and mentally capable of walking or traversing a normal path to safety, including the ascent and descent of stairs, and capable of self-preservation, without the physical assistance of another person.

- Level II means semi-ambulatory persons that are physically and mentally capable of traversing a normal path to safety with the use of mobility aids, but unable to ascend or descend stairs without the physical assistance of another person.

- Level III means persons physically or mentally unable to walk or traverse a normal path to safety without the physical assistance of another person.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-210, filed 3/3/03, effective 4/3/03.]

WAC 212-12-220 Applicability. This regulation applies to all LC facilities licensed or subject to licensure as emergency respite care centers by the department of social and health services.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-220, filed 3/3/03, effective 4/3/03.]

WAC 212-12-230 Compliance. All LC facilities licensed as emergency respite care centers shall comply with the provisions of this regulation.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-230, filed 3/3/03, effective 4/3/03.]

WAC 212-12-240 Inspection. The licensing agency, upon receipt of an application for a license or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed affecting the corrective measures, a reinspection shall be made to determine compliance.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-240, filed 3/3/03, effective 4/3/03.]

WAC 212-12-250 Approval. Upon the completion of the inspection, if the facility is in compliance with the applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency by the Fire Protection Bureau.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-250, filed 3/3/03, effective 4/3/03.]

WAC 212-12-260 Right of appeal. A facility aggrieved by the corrective orders of the state fire marshal or his/her authorized representative may appeal to the state fire marshal as provided for in WAC 212-12-025.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-260, filed 3/3/03, effective 4/3/03.]

WAC 212-12-270 Local codes. Approvals are issued or denied on the basis of the applicant's compliance with the state fire marshal's minimum fire and life safety standards. The enforcement of local fire and building codes is the responsibility of the respective fire and building officials.

(2007 Ed.)

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-270, filed 3/3/03, effective 4/3/03.]

WAC 212-12-280 Standards. The following standards shall be applicable to all emergency respite care centers licensed as an LC Occupancy after the effective date of this regulation.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-280, filed 3/3/03, effective 4/3/03.]

WAC 212-12-290 Construction requirements. (1) Emergency respite care centers located within an LC Occupancy shall comply with the construction requirements for LC Occupancies as stated in current Washington State Amendment to the 1997 Uniform Building Code.

(2) All rooms used for sleeping and all corridors shall be provided with smoke detectors. Detectors shall be installed in accordance with the approved manufacturer's instructions.

(3) An emergency power system shall be provided that is capable of providing pathway lighting for a period of one and one-half hours (1 1/2) of time.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-290, filed 3/3/03, effective 4/3/03.]

WAC 212-12-300 Modernization or renovation. No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level of new construction, as required elsewhere in this regulation. Alterations or installations of new building services equipment shall be accomplished as near as possible in conformance with the requirements for new construction and shall be approved by both the building official and the fire marshal's office.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-300, filed 3/3/03, effective 4/3/03.]

WAC 212-12-310 Additions. Any addition to be used as an emergency respite center shall be separated from the existing structure by an occupancy separation constructed as required in the current edition of the Washington state building code.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-310, filed 3/3/03, effective 4/3/03.]

WAC 212-12-320 Design, operation. All emergency respite centers shall be so designed, constructed, maintained and operated as to minimize the possibility of a fire emergency. The protection of residents or patients from fire shall be provided by the following:

(1) Approved design, construction and separation of the facility;

(2) A required detection, and alarm system;

(3) Fire prevention measures required by Fire Marshal Standards 212-12;

(4) Planning, training and drilling in programs for the notification of fire and the safe evacuation of residents or patients from the building or affected fire area as required by WAC 212-12-040 and [212-12]-044.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-320, filed 3/3/03, effective 4/3/03.]

WAC 212-12-330 Staffing requirements. All emergency respite centers shall provide staffing as established by the department of social and health services (DSHS).

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-330, filed 3/3/03, effective 4/3/03.]

WAC 212-12-340 Fire extinguishers. At least one minimum 2A-10BC rated fire extinguisher shall be provided on each floor level. Additional fire extinguishers may also be required due to area, travel distance or special hazards.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-340, filed 3/3/03, effective 4/3/03.]

WAC 212-12-350 Lighting. (1) Illumination of the means of egress shall be continuous during the time that conditions of occupancy require that the means of egress be available for use.

(2) Automatic emergency lighting shall be provided and so arranged as to provide the required illumination automatically in the event of any interruption of normal lighting, such as the failure of public utility or other outside electrical power supply, opening of a circuit breaker or fuse, or any manual act(s) including accidental opening of a switch controlling normal lighting facilities.

(3) Electric battery-operated emergency lights shall be approved for their intended use, shall comply with the state electrical code, and shall be maintained in a fully charged condition.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-350, filed 3/3/03, effective 4/3/03.]

WAC 212-12-360 Protection from hazards. Any area used for general storage, and boiler or furnace rooms shall be separated from other parts of the building by construction having a fire-resistance rating conforming to the general construction requirements of the building type.

Central heating plants and other fuel-burning appliances shall be maintained and cleaned by an appliance service technician at intervals as required by the manufacturer's instructions or at least annually. The surrounding area shall be kept free of rubbish and combustible storage.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-360, filed 3/3/03, effective 4/3/03.]

WAC 212-12-370 Sprinkler systems. An automatic sprinkler system shall be installed throughout every Group LC Occupancy three or more stories in height or licensed for more than 16 clients. Group LC Occupancies with 16 or fewer clients, licensed to provide care for more than two clients who have an evacuation capability of II or III, shall be provided with an automatic sprinkler system throughout the facility.

EXCEPTION: An automatic sprinkler system need not be installed in any Group LC Occupancy licensed for six or fewer clients regardless of the level of evacuation capability.

Where a sprinkler system is required, a system complying with Uniform Building Code (UBC) Standard 9-1 shall be installed.

EXCEPTIONS: 1. An automatic sprinkler system complying with UBC Standard 9-3 may be installed in buildings of four stories or less.

2. Where a Group LC Occupancy is being established by change of occupancy in an existing building not protected by a sprinkler system as is required above for buildings of new construction, an automatic sprinkler system complying with National Fire Protection Association (NFPA) Standard 13d may be installed provided the care facility is licensed for not more than 16 clients.

Residential or quick-response heads shall be used in all sprinkler systems.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-370, filed 3/3/03, effective 4/3/03.]

WAC 212-12-380 Fire alarm. Every emergency respite center licensed for more than 16 residents shall have an approved automatic and manual fire alarm system. Operation of any fire alarm initiating device shall automatically, without delay, activate off-site monitoring and accomplish general alarm indication and sound an audible alarm throughout the building or affected portion thereof.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-380, filed 3/3/03, effective 4/3/03.]

WAC 212-12-390 Smoke detection. Smoke detectors that received their primary power from the building wiring shall be installed in all sleeping rooms, corridors and in areas separating use areas from sleeping areas. Activation of a smoke detector shall activate the buildings fire alarm system and off-site monitoring.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-390, filed 3/3/03, effective 4/3/03.]

WAC 212-12-400 Equipment, inspection, testing and maintenance. Every required automatic sprinkler system, fire detection and alarm system, exit lighting, fire door and other item of equipment required by this regulation and/or the applicable building and/or fire code shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturer's recommendation or at least annually to assure reliability. Records of all tests and inspections shall be maintained on the premises for review. Tests shall be conducted of the fire alarm system in accordance with the requirements of WAC 212-12-030. Fire sprinkler testing and maintenance shall be in accordance with the requirements contained in chapter 212-80 WAC.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-400, filed 3/3/03, effective 4/3/03.]

WAC 212-12-410 Severability. If any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected.

[Statutory Authority: RCW 74.15.050. 03-06-063, § 212-12-410, filed 3/3/03, effective 4/3/03.]

Chapter 212-17 WAC FIREWORKS

WAC

PART I—GENERAL

212-17-001	Title.
212-17-010	Purpose.
212-17-015	Scope.

212-17-020	Authority.
212-17-025	Definition—"Fireworks."
212-17-030	Definition and classification—"Trick and novelty devices."
212-17-032	Definition and classification—"Articles pyrotechnic."
212-17-035	Definition and classification—"Consumer fireworks."
212-17-040	Definition and classification—"Display fireworks."
212-17-042	Definition and classification—"Special effects."
212-17-045	Definition and classification—"Agricultural and wild-life fireworks."
212-17-050	Firework device chemical content, construction.
212-17-055	Firework device, labeling.
212-17-060	Public purchase of fireworks.
PART II—MANUFACTURER	
212-17-065	Fireworks manufacturer—General.
212-17-070	Fireworks manufacturer—Licensing.
212-17-075	Fireworks manufacturer—Local ordinances.
212-17-080	Fireworks manufacturer—License limitations.
212-17-085	Fireworks manufacturer—Records and reports.
212-17-090	Fireworks manufacturer—Restrictions.
212-17-095	Fireworks manufacturer—Building and structures.
212-17-100	Fireworks manufacturer—Personnel.
212-17-105	Fireworks manufacturer—Visitors.
212-17-110	Fireworks manufacturer—Fire nuisance.
PART III—WHOLESALE	
212-17-115	Fireworks wholesaler—General.
212-17-120	Fireworks wholesaler—Licensing.
212-17-125	Fireworks wholesaler—Investigation.
212-17-130	Fireworks wholesaler—Local ordinances.
212-17-135	Fireworks wholesaler—License limitations.
212-17-140	Fireworks wholesaler—Records and reports.
212-17-145	Fireworks wholesaler—Importing.
212-17-150	Fireworks wholesaler—Personnel.
212-17-155	Fireworks wholesaler—Visitors.
212-17-160	Fireworks wholesaler—Fire nuisance.
PART IV—IMPORTER	
212-17-165	Importers of fireworks—General.
212-17-170	Importers of fireworks—Licensing.
212-17-175	Importers of fireworks—License scope.
212-17-180	Importers of fireworks—Restrictions.
PART V—RETAILER	
212-17-185	Retailers of fireworks—License and permit.
212-17-198	Retailers of fireworks—List.
212-17-203	Retailers of fireworks—List to be posted.
212-17-21503	Retailers of fireworks—Definitions.
212-17-21505	Retailers of fireworks—General provisions.
212-17-21507	Retailers of fireworks—Transportation.
212-17-21509	Retailers of fireworks—Location.
212-17-21511	Retailers of fireworks—Area around the retail fireworks stand.
212-17-21513	Retailers of fireworks—Stand use and construction.
212-17-21515	Retailers of fireworks—Operation of retail fireworks stands.
212-17-21517	Retailers of fireworks—Temporary fireworks storage associated with the retail fireworks stand operation.
212-17-21519	Retailers of fireworks—Cleanup.
PART VI—PYROTECHNIC OPERATOR	
212-17-220	Pyrotechnic operators—General.
212-17-225	Pyrotechnic operators—Application for license.
212-17-230	Pyrotechnic operators—Examination, investigation and licensing.
212-17-235	Pyrotechnic operators—Responsibility.
212-17-240	Pyrotechnic operators—Observance of laws, rules and regulations.
PART VII—PUBLIC DISPLAY LICENSE	
212-17-245	Public displays of fireworks—General.
212-17-250	Public displays of fireworks—Application, state license.
212-17-255	Public displays of fireworks—Type of license.
212-17-260	Public displays of fireworks—General licenses.
212-17-270	Public displays of fireworks—Local permit, application for.
212-17-275	Public displays of fireworks—Investigation.
212-17-280	Public displays of fireworks—Permits may not be granted, when.
212-17-285	Public displays of fireworks—Spectators.
212-17-290	Public displays of fireworks—Pyrotechnic operators.

(2007 Ed.)

212-17-295	Public display—General.
212-17-300	Public display—Definitions.
212-17-305	Public display—Construction of shells.
212-17-310	Public display—Storage of shells.
212-17-315	Public display—Installation of mortars.
212-17-317	Public display—Electrical firing unit.
212-17-320	Public display—Site selection.
212-17-321	Public display—Installation of buried mortars.
212-17-323	Installation of mortar racks.
212-17-325	Public display—Discharge site.
212-17-327	Requirements for chain fusing.
212-17-330	Public display—Operation.
212-17-335	Public display—Firing of shells.
212-17-340	Public display—Ground pieces.
212-17-342	Public display—Floating vessels and platforms.
212-17-345	Public display—Reports.

PART IX—PROXIMATE DISPLAYS

212-17-350	Proximate display—Use of proximate before an audience.
212-17-352	Transportation—By common carrier.
212-17-355	Proximate display—Proximate permit.
212-17-360	Proximate display—Pyrotechnic display plans.
212-17-362	Storage—By common carrier.
212-17-365	Proximate display—Pyrotechnic display demonstrations.
212-17-370	Proximate display—Definitions.
212-17-375	Proximate display—Transportation of pyrotechnic material.
212-17-380	Proximate display—Storage of pyrotechnic materials and WAC devices.
212-17-385	Proximate display—Separation from heat sources.
212-17-390	Proximate display—Identification of pyrotechnic devices or binary systems.
212-17-395	Proximate display—General fire protection.
212-17-400	Proximate display—Firing prerequisites.
212-17-405	Proximate display—Firing safeguards.
212-17-410	Proximate display—Separation distances from audience.
212-17-415	Proximate display—Performance.
212-17-420	Proximate display—After the performance.

PART X—TRANSPORTATION

212-17-425	Transportation—General.
212-17-430	Transportation—By common carrier.

PART XI—STORAGE

212-17-435	Storage—General.
212-17-440	Storage—Explosive safety.
212-17-445	Storage—By common carrier.

PART XII—FINES AND PENALTIES

212-17-450	Fines and penalties.
212-17-455	Definitions.
212-17-460	General rules.
212-17-465	Violation types and penalty assessments.
212-17-470	Violation assessment at the local level.
212-17-475	Hearings.
212-17-480	Informal conference.
212-17-485	Formal hearing.
212-17-490	Penalty adjustment.
212-17-495	Payment of civil penalty.
212-17-500	Type I violations.
212-17-505	Type II violations.
212-17-510	Type III violations.
212-17-515	Type IV violations.
212-17-900	Appendix.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

212-17-190	Retailers of fireworks—Sales dates. [Statutory Authority: RCW 70.77.250, 84-23-009 (Order FM 84-05), § 212-17-190, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-190, filed 11/2/82.] Repealed by 98-13-038, filed 6/9/98, effective 7/10/98. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW.
212-17-195	Retailers of fireworks—Sales locations. [Statutory Authority: Chapter 70.77 RCW. 89-17-024 (Order 89-

[Title 212 WAC—p. 33]

03), § 212-17-195, filed 8/8/89, effective 9/8/89; 88-08-027 (Order FPS 88-01), § 212-17-195, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-195, filed 11/2/82.] Repealed by 98-13-038, filed 6/9/98, effective 7/10/98. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW.

212-17-200 Retailers of fireworks—Safety inspection. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-200, filed 11/2/82.] Repealed by 98-13-038, filed 6/9/98, effective 7/10/98. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW.

212-17-205 Retailers of fireworks—No smoking signs. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-205, filed 11/2/82.] Repealed by 98-13-038, filed 6/9/98, effective 7/10/98. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW.

212-17-210 Retailers of fireworks—Smoking and discharge of fireworks. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-210, filed 11/2/82.] Repealed by 98-13-038, filed 6/9/98, effective 7/10/98. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW.

212-17-215 Retailers of fireworks—Disposition of unsold stock. [Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-215, filed 11/2/82.] Repealed by 98-13-038, filed 6/9/98, effective 7/10/98. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW.

212-17-265 Reports. [Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-265, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-265, filed 11/2/82.] Repealed by 05-12-033, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapters 43.43 and 70.77 RCW.

PART I—GENERAL

WAC 212-17-001 Title. These rules shall be known as the "rules of the director of fire protection relating to fireworks," and may be cited as such.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-001, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-001, filed 11/2/82. Formerly chapter 212-16 WAC.]

WAC 212-17-010 Purpose. The purpose of these rules is to implement the state fireworks law, chapter 70.77 RCW, administered and enforced by the director of fire protection.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-010, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-010, filed 11/2/82.]

WAC 212-17-015 Scope. These rules apply to fireworks manufacture, storage, transportation, sale, importation, possession, classification, and discharge of fireworks of every class or kind in this state.

Exceptions: (1) Explosives, as defined and regulated under the state explosives law, chapter 70.74 RCW;
(2) Firearms and ammunition, including blank cartridges and pistols of the type used at sporting events or theatrical productions;
(3) Research or experiments with rockets or missiles, including model rockets and model rocket motors designed, sold and used for the purpose of propelling recoverable aero models;
(4) Toy paper and/or plastic caps, manufactured in accordance with DOT regulations, 49 CFR 173.100(p), 1981, as of October 29, 1982, or toy pistols, toy canes, toy guns, or other devices in which toy paper and/or plastic caps are used;
(5) Emergency signaling devices.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-015, filed 11/2/82.]

WAC 212-17-020 Authority. These rules are adopted pursuant to the Washington Administrative Procedure Act, chapter 34.04 RCW.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-020, filed 11/2/82.]

WAC 212-17-025 Definition—"Fireworks." The term "fireworks" shall mean any composition or device for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition of articles pyrotechnic, consumer, or display fireworks.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-025, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-025, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-025, filed 11/2/82.]

WAC 212-17-030 Definition and classification—"Trick and novelty devices." The term "trick and novelty devices" shall mean any small firework device not classified as consumer or display fireworks by the United States Department of Transportation or elsewhere in these rules, including:

(1) Snakes, glow worm. Pressed pellet of pyrotechnic composition that produces a large, snake-like ash upon burning. The ash expands in length as the pellet burns. These devices may not contain mercuric thiocyanate.

(2) Trick noisemaker. Item that produces a small report intended to surprise the user. These devices include:

(a) Party popper. Small plastic or paper item containing not more than 16 mg of explosive composition that is friction sensitive. A string protruding from the device is pulled to ignite it, expelling paper streamers and producing a small report.

(b) Booby trap. Small tube with string protruding from both ends, similar to a party popper in design. The ends of the string are pulled to ignite the friction sensitive composition, producing a small report.

(c) Snapper. Small, paper-wrapped item containing a minute quantity of explosive composition coated on small bits of sand. When dropped, the device explodes, producing a small report.

(d) Trick match. Kitchen or book match that has been coated with a small quantity of explosive or pyrotechnic composition. Upon ignition of the match, a small report or a shower of sparks is produced.

(e) Cigarette load. Small wooden peg that has been coated with a small quantity of explosive composition. Upon ignition of a cigarette containing one of the pegs, a small report is produced.

(f) Auto burglar alarm. Tube which contains pyrotechnic composition that produces a loud whistle and/or smoke when ignited. A small quantity of explosive, not exceeding 50 mg, may also be used to produce a small report. A squib is used to ignite the device.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-030, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250

and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-030, filed 11/2/82.]

WAC 212-17-032 Definition and classification—"Articles pyrotechnic." The term "articles pyrotechnic" shall mean pyrotechnic devices for professional use similar to consumer fireworks in chemical composition and construction but not intended for consumer use which meet the weight limits for consumer fireworks but which are not labeled as such and which are classified as UN0431 or UN0432 by the Department of Transportation at 49 C.F.R. Sec. 172.101.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-032, filed 5/24/05, effective 6/24/05.]

WAC 212-17-035 Definition and classification—"Consumer fireworks." The term "consumer fireworks" shall mean any fireworks designed primarily to produce visible or audible effects by combustion. The term includes:

(1) Ground and hand-held sparkling devices.

(a) Dipped stick, sparkler. Stick, or wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. Total pyrotechnic composition may not exceed 100 grams per item. Those devices containing any perchlorate or chlorate salts may not exceed 5 grams of pyrotechnic composition per item. Wire sparklers which contain no magnesium and which contain less than 100 grams of composition per item, not Division 1.4, 1.5, or 1.6 explosives under DOT regulations, are included in this category.

(b) Cylindrical fountain. Cylindrical tubes not more than 3/4 inch (19 mm) inside diameter, containing up to 75 grams of pyrotechnic composition. Upon ignition, a shower of colored sparks, and sometimes a whistling effect is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle, if intended to be hand-held (handle fountain).

(c) Cone fountain. Cardboard or heavy paper cone containing up to 50 grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain.

(d) Illuminating torch. Cylindrical tube containing up to 100 grams of pyrotechnic composition. Upon ignition, colored fire is produced. May be spike, base, or hand-held.

(e) Wheel. Pyrotechnic device attached to a post or tree by means of a nail or string. Each wheel may contain up to six "driver" units; tubes not exceeding 1/2 inch (12.5 mm) inside diameter and containing up to 60 grams of pyrotechnic composition. Total pyrotechnic composition of each wheel shall not exceed 240 grams. Upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes, a whistling effect.

(f) Ground spinner. Small device similar to a wheel in design and effect and placed on the ground and ignited. A shower of sparks and color is produced by the rapidly spinning device.

(g) Flitter sparkler. Narrow paper tube filled with pyrotechnic composition that produces color and sparks upon ignition. This device does not have a fuse for ignition. The paper at one end of the tube is ignited to make the device function.

(2007 Ed.)

(2) Aerial device.

(a) Helicopter, aerial spinner. A tube not more than 1/2 inch (12.5 mm) inside diameter and containing up to 20 grams of pyrotechnic composition. A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.

(b) Roman candles. Heavy paper or cardboard tube containing up to 20 grams of pyrotechnic composition. Upon ignition, up to ten "stars" (pellets of pressed pyrotechnic composition that burn with bright color) are individually expelled at several-second intervals.

(c) Mine, shell. Heavy cardboard or paper tube up to 2 1/2 inches (63.5 mm) inside diameter attached to a wood or plastic base and containing up to 40 grams of pyrotechnic composition. Upon ignition, "stars," or other devices are propelled into the air. The tube remains on the ground.

(3) Combination items. Fireworks devices containing combinations of two or more of the effects described in this section.

(4) Smoke device. Tube or sphere containing pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.

(5) Aerial shell. A 1 3/4" or smaller cylindrical or spherical cartridge containing up to 40 grams of chemical composition.

(6) Mortar. A 1 3/4" or smaller cardboard tube in which aerial shells are discharged into the air.

(7) Division 1.4G explosives classified on January 1, 1984, as consumer fireworks by the United States Department of Transportation except that the term shall not include firecrackers, salutes, chasers, skyrockets, or missile-type rockets.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-035, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250, 84-23-009 (Order FM 84-05), § 212-17-035, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-035, filed 11/2/82.]

WAC 212-17-040 Definition and classification—"Display fireworks." The term "display fireworks" shall mean large fireworks designed primarily for exhibition display by producing visible or audible effects. The term includes, but is not limited to:

(1) Sky rocket. Tubes not exceeding 1/2 inch (12.5 mm) inside diameter that may contain up to 20 grams of pyrotechnic composition. Sky rockets contain a wooden stick for guidance and stability and rise into the air upon ignition. A burst of color or noise or both is produced at the height of flight.

(2) Missile-type rocket. A device similar to a sky rocket in size, composition, and effect that uses fins rather than a stick for guidance and stability. Firework devices which use a cylindrical bore or rod for launching stability, even though the word "missile" may appear on the label, are not included in this category.

(3) Firecrackers, salutes. Small paper-wrapped or cardboard tube containing not more than 2 grains (130 mg) of explosive composition. Upon ignition, noise and a flash of light is produced.

(4) Chaser. Small paper or cardboard tube that travels along the ground upon ignition. A whistling effect, or other noise, is often produced. The explosive composition used to create the noise may not exceed 50 mg.

(5) Display pieces. Fireworks containing more than 2 grains (130 mg) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition, and other display pieces which exceed the limits for classification as "consumer fireworks." Display fireworks are classified as Division 1.3G explosives by the United States Department of Transportation.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-040, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-040, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-040, filed 11/2/82.]

WAC 212-17-042 Definition and classification—"Special effects." The term "special effects" shall mean a visual or audible effect for entertainment purposes created exclusively by "display fireworks" or "articles pyrotechnic."

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-042, filed 5/24/05, effective 6/24/05.]

WAC 212-17-045 Definition and classification—"Agricultural and wildlife fireworks." The term "agricultural and wildlife fireworks" shall mean (1) fireworks devices, including but not limited to, firecrackers containing more than 50 mg (.772 grains) of pyrotechnic composition designed to produce audible effects, which are distributed to farmers, ranchers and growers through a wildlife management program administered by the United States Department of Interior (or by equivalent state or local governmental agencies); and, such distribution is in response to a written application describing the wildlife management problem that requires use of such devices, is of a quantity no greater than required to control the problem described, and is where other means of control is unavailable or inadequate or, (2) seal control units, purchased under a Certificate of Inclusion, issued by the United States Department of Commerce, National Oceanic and Atmosphere Administration, or sold by bona fide dealers to licensed commercial fishermen or licensed commercial fishing boat owners for marine mammal control.

[Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-045, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-045, filed 11/2/82.]

WAC 212-17-050 Firework device chemical content, construction. All consumer fireworks devices shall meet the following chemical content, design, and construction requirements.

(1) Prohibited chemicals. Fireworks devices shall not contain any of the following chemicals:

(a) Arsenic sulfide, arsenates, or arsenites.

(b) Boron.

(c) Chlorates, except:

(i) In colored smoke mixtures in which an equal or greater amount of sodium bicarbonate is included;

(ii) In caps and party poppers;

(iii) In those small items wherein the total powder content does not exceed four grams of which not greater than fifteen percent is potassium, sodium, or barium chlorate.

(d) Gallates or gallic acid.

(e) Magnesium (magnesium/aluminum alloys, called magnalium, are permitted).

(f) Mercury salts.

(g) Phosphorus (red or white). EXCEPT that red phosphorus is permissible in caps and party poppers.

(h) Picrates or picric acid.

(i) Thiocyanates.

(j) Titanium, except in particle size greater than 100-mesh.

(k) Zirconium.

(2) Fuses.

(a) Fireworks devices that require a fuse shall:

(i) Utilize only a fuse that has been treated or coated in such manner as to reduce the possibility of side ignition. Devices such as ground spinners that require a restricted orifice for proper thrust and contain less than 6 grams of pyrotechnic composition are exempt from this requirement.

(ii) Utilize only a fuse which will burn at least three seconds but not more than six seconds before ignition of the device.

(b) The fuse shall be securely attached so that it will support either the weight of the fireworks device plus eight ounces dead weight or double the weight of the device, whichever is less, without separation from the fireworks device.

(3) Bases. The base or bottom of fireworks devices that are operated in a standing upright position shall have the minimum horizontal dimensions or the diameter of the base equal to at least one-third of the height of the device including any base or cap affixed thereto.

(4) Pyrotechnic leakage. The pyrotechnic chamber in fireworks devices shall be sealed in a manner that prevents leakage of the pyrotechnic composition during shipping, handling and normal operation.

(5) Burnout and blowout. The pyrotechnic chamber in fireworks devices shall be constructed in a manner to allow functioning in a normal manner without burnout or blowout.

(6) Handles and spikes. Fireworks devices that are intended to be hand-held and are so labeled shall incorporate a handle at least four inches in length. Handles shall remain firmly attached during transportation, handling and full operation of the device, or shall consist of an integral section of the device at least four inches below the pyrotechnic chamber, except sparklers 10" or less in length shall have handles at least 3" in length. Spikes provided with fireworks devices shall protrude at least two inches from the base of the device and shall have a blunt tip not less than 1/8 inch in diameter or 1/8 inch square.

(7) Wheel devices. Drivers in fireworks devices commonly known as "wheels" shall be securely attached to the device so that they will not come loose in transportation, handling, and normal operation. Wheel devices intended to operate in a fixed location shall be designed in such a manner that the axle remains attached to the device during normal operation.

(8) Toy smoke devices and flitter devices.

(a) Toy smoke devices shall be so constructed that they will neither burst nor produce external flame (excluding the fuse and small but brief bursts of flame accompanying normal smoke production) during normal operation.

(b) Toy smoke devices and flitter devices shall not be of such color and configuration so as to be confused with illegal explosive devices such as M-80 salutes, silver salutes, or cherry bombs.

(c) Toy smoke devices shall not incorporate plastic as an exterior material if the pyrotechnic composition comes in direct contact with the plastic.

(9) Rockets with sticks. Rockets with sticks (including sky rockets and bottle rockets) shall utilize a straight and rigid stick to provide a direct and stable flight. Such sticks shall remain straight and rigid and attached to the driver so as to prevent the stick from being damaged or detached during transportation, handling, or normal operation.

(10) Party poppers. Party poppers (also known by other names such as "champagne party poppers" and "party surprise poppers" shall not contain more than 0.25 grains of pyrotechnic composition. Such devices may contain non-flammable soft paper or cloth inserts.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-050, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-050, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-050, filed 11/2/82.]

WAC 212-17-055 Firework device, labeling. (1) Any consumer fireworks device not required to have a specific label by 16 CFR 1500.14 (b)(7), 1981, as of October 29, 1982, shall carry a warning label indicating to the user where and how the item is to be used and necessary safety precautions to be observed.

(2) Every fireworks device, or fireworks device container where the device is packaged in an immediate container intended or suitable for delivery to the ultimate consumer, shall be conspicuously labeled with the name and place of business of the manufacturer, packer, distributor, or seller and the United States Department of Transportation designation as "Division 1.4G consumer fireworks" or "Division 1.3G special fireworks."

(3) All label wording shall be prominently located, in the English language, and in conspicuous and legible type in contrast by typography, layout, or color with the printed matter on the fireworks device or container.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-055, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-055, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-055, filed 11/2/82.]

WAC 212-17-060 Public purchase of fireworks. (1) The public may purchase consumer fireworks only from licensed retail fireworks stands between noon, June 28th and 9:00 p.m. July 5th of each year. Purchase or discharge is prohibited between the hours of 11:00 p.m. and 9:00 a.m., except on July 4th, in which fireworks can be discharged between the hours of 9:00 a.m. and 12:00 midnight. Possession and discharge of fireworks is lawful during this period only, except as provided in subsection (2) of this section.

(2007 Ed.)

(2) Religious organizations or private organizations or adult persons may be authorized to purchase consumer fireworks or such audible ground devices as firecrackers, salutes, and chasers, as defined in WAC 212-17-040 (3) and (4) from licensed manufacturers, importers, or wholesalers for use on prescribed dates and locations for religious or specific purposes, when a permit is obtained from the fire chief or other designated local official. Application shall be on forms provided by the director of fire protection and shall contain the following information:

(a) The name and mailing address of the organization or person desiring to purchase and discharge the fireworks;

(b) The date and time of the proposed discharge;

(c) The location of the proposed discharge;

(d) The quantity and type of fireworks desired to be purchased and discharged;

(e) The reason or purpose of the discharge; and

(f) The signature of the applicant, following a statement that: "The applicant understands and agrees to comply with all provisions of the application and requirements of the approving authority, will discharge the fireworks only in a manner that will not endanger persons or property or constitute a nuisance, and assumes full responsibility for all consequences of the discharge, intended or not." Upon approval by the fire official, the applicant may submit a copy of the approval to any licensed wholesaler as proof of authorization to purchase the fireworks listed therein. The applicant shall retain the approval and have it available for inspection by any public official at the actual discharge of the fireworks.

(3) The purchase or receipt of mail-order fireworks through any medium of either interstate or intrastate commerce is prohibited unless the purchaser has first obtained an importers license.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-060, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-060, filed 3/31/88. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-060, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-060, filed 11/2/82.]

PART II—MANUFACTURER

WAC 212-17-065 Fireworks manufacturer—General. Persons intending to manufacture fireworks in this state shall procure a license from the director of fire protection and a permit from the local governmental agency having jurisdiction prior to engaging in business. Applications for license shall be made on forms provided by the director of fire protection and the annual license fee shall accompany the application. License applications shall be made on or before January 31 of the year for which the license is desired. Fireworks manufacturers domiciled in other than the state of Washington shall have a designated agent in the state of Washington, registered with the director of fire protection.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-065, filed 3/31/88. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-065, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-065, filed 11/2/82.]

WAC 212-17-070 Fireworks manufacturer—Licensing. Upon receipt of application and license fee, the director

of fire protection will cause an investigation to be made. If the investigation discloses compliance with state laws governing the manufacture of fireworks and that granting of a license would not be contrary to public safety or welfare, a license will be granted. If the license is denied, then the applicant shall be notified in writing of the reason why license was denied, and he shall be given an opportunity to make such alterations and corrections as are deemed necessary. License applications shall be either granted or denied by the director of fire protection within ninety days following receipt of a properly submitted or amended application.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-070, filed 3/31/88. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-070, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-070, filed 11/2/82.]

WAC 212-17-075 Fireworks manufacturer—Local ordinances. Applicants, before applying for a license, should determine that their facilities conform to local zoning, health and building safety standards, fire safety requirements, and any other local ordinances pertaining to manufacture and storage of fireworks. (See appendix.)

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-075, filed 11/2/82.]

WAC 212-17-080 Fireworks manufacturer—License limitations. (1) A fireworks manufacturer license, together with a permit from local authorities having jurisdiction, authorizes the holder to engage only in the business of manufacturing fireworks of all types and their sale and transportation to licensed wholesalers in Washington. If they desire to engage in other types of fireworks business, they shall first procure the necessary license.

(2) By virtue of its license, a licensed fireworks manufacturer is permitted to sell fireworks for direct shipment out of this state. Such shipment must be made by a public carrier or by the manufacturer in vehicles owned or leased by the manufacturer.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-080, filed 11/2/82.]

WAC 212-17-085 Fireworks manufacturer—Records and reports. Manufacturers shall, when requested to do so, submit written reports to the chief of the Washington state patrol, through the director of fire protection on production, sale and distribution of fireworks and name of the person to whom such fireworks were sold.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-085, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-085, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-085, filed 11/2/82.]

WAC 212-17-090 Fireworks manufacturer—Restrictions. The storage, transportation, sale and transfer of ownership of all classes and types of fireworks by manufacturers shall be subject to the restrictions and provisions of the state fireworks law and these rules.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-090, filed 11/2/82.]

[Title 212 WAC—p. 38]

WAC 212-17-095 Fireworks manufacturer—Building and structures. All buildings and structures used for manufacturing fireworks are subject to the provisions of these rules as well as all local ordinances relating to building, design, construction, location and zoning.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-095, filed 11/2/82.]

WAC 212-17-100 Fireworks manufacturer—Personnel. All employees who handle fireworks in any stage of storage, manufacture, or assembly shall be instructed in the hazards of the materials involved and of the processes in which they are engaged, and shall be made familiar with the rules and safety precautions governing such materials and processes.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-100, filed 11/2/82.]

WAC 212-17-105 Fireworks manufacturer—Visitors. No persons other than employees shall be permitted in portions of the premises where live fireworks or components are manufactured, processed, assembled, stored, or exposed. Visitors having business on the premises shall be restricted to the areas directly related to the purpose of their visit. No loitering shall be permitted on the premises.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-105, filed 11/2/82.]

WAC 212-17-110 Fireworks manufacturer—Fire nuisance. The premises of a fireworks manufacturing establishment shall be maintained in a clean, neat and orderly condition at all times and be free from any condition that would create a "fire nuisance." (See RCW 70.77.165.)

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-110, filed 11/2/82.]

PART III—WHOLESALE

WAC 212-17-115 Fireworks wholesaler—General. Fireworks wholesaler licenses cover those persons engaged in the business of selling fireworks at wholesale to licensed persons in this state. Wholesale licensees may transport the class of fireworks for which they hold a valid license. Fireworks wholesalers domiciled in other than the state of Washington shall have a designated agent in the state of Washington, registered with the director of fire protection.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-115, filed 3/31/88. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-115, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-115, filed 11/2/82.]

WAC 212-17-120 Fireworks wholesaler—Licensing. Persons intending to engage in the sale of fireworks at wholesale in this state shall procure a license from the director of fire protection. A permit from the local governmental agency having jurisdiction shall also be obtained for the storage of all classes and types of fireworks in possession of the wholesaler licensee. The application shall be made on forms provided by the state fire marshal and the annual license fee shall accompany the application. License applications shall be made on

(2007 Ed.)

or before January 31 of the year for which the license is desired.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-120, filed 3/31/88. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-120, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-120, filed 11/2/82.]

WAC 212-17-125 Fireworks wholesaler—Investigation. Upon receipt of an application and the license fee, the director of fire protection will cause an investigation to be made. If the investigation discloses compliance with state laws governing fireworks and that granting of a license would not be contrary to public safety or welfare, a license will be granted. If the license is denied, then the applicant shall be notified in writing of the reason why the license was denied, and he shall be given an opportunity to make such alterations and corrections as are deemed necessary. License applications shall be either granted or denied by the director of fire protection within ninety days following receipt of a properly submitted or amended application.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-125, filed 3/31/88. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-125, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-125, filed 11/2/82.]

WAC 212-17-130 Fireworks wholesaler—Local ordinances. Applicants, before applying for a license should determine that their facilities conform to local zoning, health and building safety standards, fire safety requirements, and any other local ordinances pertaining to storage of fireworks. (See appendix.)

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-130, filed 11/2/82.]

WAC 212-17-135 Fireworks wholesaler—License limitations. (1) A fireworks wholesaler's license authorizes the holder to engage only in the sale of fireworks at wholesale. A fireworks wholesaler's license entitles him to sell fireworks to licensed retailers, licensed public display operators, other licensed wholesalers, religious organizations or private organizations or adult persons authorized to purchase specific fireworks items in accordance with WAC 212-17-060(2). Fireworks wholesaler licensees desiring to engage in other types of fireworks business shall first secure the necessary license as required by the state fireworks law.

(2) By virtue of its license, a licensed fireworks wholesaler is permitted to sell fireworks for direct shipment out of this state. Such shipment must be made by a public carrier or by the wholesaler in vehicles owned or leased by the wholesaler.

(3) It is unlawful for a licensed fireworks wholesaler to sell fireworks, at wholesale or retail, for direct shipment out of this state, or delivery into another state, to any person who does not possess and present to the wholesaler for inspection at the time of sale, a valid license and/or permit, where such a license and/or permit is required to purchase, possess, transport, store, distribute, sell, or otherwise deal with or use fireworks by the laws of such other state specifically prohibiting or regulating the use of fireworks.

(2007 Ed.)

(4) The burden of ascertaining whether the laws of such other state require a license and/or permit and whether the purchaser possesses such a valid license and/or permit shall be entirely on the wholesaler. The wholesaler shall record, in a manner prescribed by the director of fire protection, each sale as described in this section, to include the type and quantity of fireworks sold, name of purchaser, state of destination, state issuing license and/or permit, and number or other identifying description and date of issue of license and/or permit.

(5) Each sale of fireworks in violation of this section shall be considered a separate offense. Notwithstanding the existence or use of any other remedy, any wholesaler violating this section may be enjoined from continuing such violation.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-135, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-135, filed 11/2/82.]

WAC 212-17-140 Fireworks wholesaler—Records and reports. The licensee shall maintain and make available to the director of fire protection full and complete records including imports, purchases, sales, and consumption of fireworks items by kind and class.

[Statutory Authority: Chapter 70.77 RCW. 89-17-024 (Order 89-03), § 212-17-140, filed 8/8/89, effective 9/8/89; 88-08-027 (Order FPS 88-01), § 212-17-140, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-140, filed 11/2/82.]

WAC 212-17-145 Fireworks wholesaler—Importing. Wholesalers who engage in the business of importing fireworks shall first procure a state license as is required for import licensees.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-145, filed 11/2/82.]

WAC 212-17-150 Fireworks wholesaler—Personnel. All employees who handle fireworks in any stage of storage or assembly shall be instructed in the hazards of the materials involved and of the processes in which they are engaged, and shall be made familiar with the rules and safety precautions governing such materials and processes.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-150, filed 11/2/82.]

WAC 212-17-155 Fireworks wholesaler—Visitors. No persons other than employees shall be permitted in portions of the premises where live fireworks or components are assembled, stored, or exposed. Visitors having business on the premises shall be restricted to the areas directly related to the purpose of their visit. No loitering shall be permitted on the premises.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-155, filed 11/2/82.]

WAC 212-17-160 Fireworks wholesaler—Fire nuisance. The premises of a fireworks wholesaling establishment shall be maintained in a clean, neat or orderly condition at all times and be free from any condition that would create a "fire nuisance." (See RCW 70.77.165.)

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-160, filed 11/2/82.]

PART IV—IMPORTER

WAC 212-17-165 Importers of fireworks—General.

Importer fireworks licenses are for the importation of fireworks to this state. Such a license does not authorize the licensee to engage in wholesale or retail trade or in any other activity requiring a special fireworks license. Fireworks importers domiciled in other than the state of Washington shall have a designated agent in the state of Washington, registered with the state fire marshal.

[Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-165, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-165, filed 11/2/82.]

WAC 212-17-170 Importers of fireworks—Licensing. Every person who desires to import fireworks to this state shall file application and procure a license. Application shall be made on forms provided by the director of fire protection and shall be accompanied by the required license fee. License applications shall be made on or before January 31 of the year for which the license is desired. The application shall be either granted or denied by the director of fire protection within ninety days following receipt of a properly submitted or amended application.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-170, filed 3/31/88. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-170, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-170, filed 11/2/82.]

WAC 212-17-175 Importers of fireworks—License scope. An importer fireworks license shall authorize the licensee to engage only in importing fireworks. Importer licensees desiring to engage in any type of fireworks distribution shall first procure the necessary license.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-175, filed 11/2/82.]

WAC 212-17-180 Importers of fireworks—Restrictions. The storage of all classes and types of fireworks in possession of an import licensee shall be subject to the restrictions and provisions of the local fire official. (See appendix.)

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-180, filed 11/2/82.]

PART V—RETAILER

WAC 212-17-185 Retailers of fireworks—License and permit. (1) Persons desiring to engage in the business of selling fireworks at retail shall secure a license from the director of the Washington state patrol fire protection bureau.

(2) In addition to the state license, a permit must be obtained from the local governmental officials having jurisdiction.

(a) The application shall be made on forms provided by the director of fire protection and shall be accompanied by the license fee of forty dollars.

(b) License applications shall be made on or before May 1 of the year for which the license is desired.

(c) The director of fire protection shall grant or deny the license within fifteen days of receipt of the application.

(d) Applicants are cautioned to first determine whether a local retail sales permit for fireworks can be obtained.

(3) A retailer's license to sell fireworks shall not authorize the licensee to engage in any other fireworks activity. Retailers are limited to selling only those fireworks which have been approved for sale to the public and appear on the list of approved fireworks published annually by the director of fire protection. A copy of the list shall be prominently posted at each retail outlet.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-185, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW. 98-04-007, § 212-17-185, filed 1/23/98, effective 2/23/98. Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-185, filed 3/31/88. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-185, filed 11/9/84. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-185, filed 11/2/82.]

WAC 212-17-198 Retailers of fireworks—List. The following is the list of fireworks that may be sold to the public.

(1) Ground and hand-held sparkling devices.

(a) Dipped stick, sparkler. Stick, or wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. Total pyrotechnic composition may not exceed 100 grams per item. Those devices containing any perchlorate or chlorate salts may not exceed 5 grams of pyrotechnic composition per item. Wire sparklers which contain no magnesium and which contain less than 100 grams of composition per item, not Class C explosives under DOT regulations, are included in this category.

(b) Cylindrical fountain. Cylindrical tubes not more than 3/4 inch (19 mm) inside diameter, containing up to 75 grams of pyrotechnic composition. Upon ignition, a shower of colored sparks, and sometimes a whistling effect is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle, if intended to be hand-held (handle fountain).

(c) Cone fountain. Cardboard or heavy paper cone containing up to 50 grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain.

(d) Illuminating torch. Cylindrical tube containing up to 100 grams of pyrotechnic composition. Upon ignition, colored fire is produced. May be spike, base, or hand-held.

(e) Wheel. Pyrotechnic device attached to a post or tree by means of a nail or string. Each wheel may contain up to six "driver" units; tubes not exceeding 1/2 inch (12.5 mm) inside diameter and containing up to 60 grams of pyrotechnic composition. Total pyrotechnic composition of each wheel shall not exceed 240 grams. Upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes, a whistling effect.

(f) Ground spinner. Small device similar to a wheel in design and effect and placed on the ground and ignited. A shower of sparks and color is produced by the rapidly spinning device.

(g) Flitter sparkler. Narrow paper tube filled with pyrotechnic composition that produces color and sparks upon ignition. This device does not have a fuse for ignition. The paper at one end of the tube is ignited to make the device function.

(2) Aerial devices.

(a) Helicopter, aerial spinner. A tube not more than 1/2 inch (12.5 mm) inside diameter and containing up to 20 grams of pyrotechnic composition. A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.

(b) Roman candles. Heavy paper or cardboard tube not exceeding 3/8 inch (9.5 mm) inside diameter and containing up to 20 grams of pyrotechnic composition. Upon ignition, up to ten "stars" (pellets of pressed pyrotechnic composition that burn with bright color) are individually expelled at several-second intervals.

(c) Mine, shell. Heavy cardboard or paper tube up to 2 1/2 inches (63.5 mm) inside diameter attached to a wood or plastic base and containing up to 40 grams of pyrotechnic composition. Upon ignition, "stars," firecrackers, or other devices are propelled into the air. The tube remains on the ground.

(d) Aerial shell. A 1 3/4" or smaller cylindrical or spherical cartridge containing up to 40 grams of chemical composition.

(e) Mortar. A 1 3/4" or smaller cardboard tube in which aerial shells are discharged into the air.

(3) Combination items. Fireworks devices containing combinations of two or more of the effects described in this section.

(4) Smoke device. Tube or sphere containing pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.

(5) Division 1.4G explosives classified on January 1, 1984 as consumer fireworks by the United States Department of Transportation except that the term shall not include firecrackers, salutes, chasers, skyrockets or missile-type rockets.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-198, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-198, filed 11/9/84.]

WAC 212-17-203 Retailers of fireworks—List to be posted. Retailers shall post prominently at each retail outlet a list of the fireworks that may be sold to the public. The posted list shall be in a form approved by the director of fire protection. The director of fire protection shall make available the list.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-203, filed 3/31/88. Statutory Authority: RCW 70.77.250. 84-23-009 (Order FM 84-05), § 212-17-203, filed 11/9/84.]

WAC 212-17-21503 Retailers of fireworks—Definitions. (1) "Consumer fireworks" means those fireworks defined as consumer fireworks in RCW 70.77.136.

(2) "Following year" means the year immediately following the year in which a license or permit is issued.

(3) "License" means a license as defined in RCW 70.77.170.

(4) "Magazine" means a structure as defined in Section 3302.1 of the International Fire Code.

(5) "Membrane material" means a thin, flexible, impervious material capable of being supported by an air pressure of 1.5 inches of water column (373 Pa).

(2007 Ed.)

(6) "Permanent retail or wholesale structure" means an enclosure or shelter erected for a period of thirty days or more used for the sales, at retail or wholesale, of legal fireworks of any kind.

(7) "Permanent storage structure" means a building or other structure used to store any fireworks not authorized within the scope of a retail fireworks stand permit.

(8) "Permit" means a permit as defined in RCW 70.77.180.

(9) "Private way" means any privately owned driveway, lane, access way or similar parcel of land essentially unobstructed from the ground to the sky which serves as access from private property to a public road.

(10) "Public road" means any street or alley essentially unobstructed from the ground to the sky which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

(11) "Recognized testing laboratory" means a nationally recognized testing laboratory approved by the state fire marshal.

(12) "Temperature overheat protection" means a device which immediately interrupts the power to the heating element of a portable heating unit when the portable heating unit exceeds its designed operating temperature.

(13) "Temporary power drop" means an electrical service connection to a temporary retail fireworks stand.

(14) "Retail fireworks stand" means a structure used for the retail sales of consumer fireworks.

(15) "Temporary storage structure" means a building or other structure used for storage of consumer fireworks directly related to a retail fireworks stand and authorized within the scope of a retail fireworks stand permit.

(16) "Temporary structure" means an enclosure or shelter erected for a period of less than thirty days and not otherwise defined in the International Fire Code as a tent or canopy.

(17) "Tip-over protection" means a device which immediately interrupts the power to the heating element of a portable heating unit when the portable heating unit is tipped or tilted more than forty-five degrees from its designed operating position.

(18) "International Building Code" means the edition currently adopted by the state of Washington.

(19) "International Fire Code" means the edition currently adopted by the state of Washington.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-21503, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW. 98-04-007, § 212-17-21503, filed 1/23/98, effective 2/23/98.]

WAC 212-17-21505 Retailers of fireworks—General provisions. (1) The state of Washington hereby fully occupies the entire field of regulation relating to the construction and use of temporary and permanent structures for the retail sale and storage of fireworks including: The location of and areas surrounding, the operation of and the cleanup after the use of said structures, pursuant to RCW 70.77.270.

(2) The state of Washington hereby preempts the authority of local jurisdictions with respect to the retail sale and associated storage of consumer fireworks from temporary structures. This rule constitutes the entire and exclusive

authority for regulation of all such matters. Subject to the limitations imposed by chapter 70.77 RCW, a city or county may ban fireworks; or a city or county may restrict the dates of sale, purchase, possession and use of fireworks; or a city or county may restrict the types of fireworks that may be sold and purchased within its boundaries. If a city or county allows the sale of fireworks classified as consumer fireworks from temporary structures these rules preempt that city's or that county's authority to enact or enforce any other regulations.

(3) Except as prescribed by this rule, the use of permanent structures or temporary structures over four hundred square feet for fireworks sales and storage shall be subject to the provisions of the International Fire Code and the International Building Code, and local ordinances.

(4) The use of temporary structures for the temporary sale or storage of consumer fireworks are exempt from the International Building Code, International Fire Code and local ordinances except that where a city or county ordinance regulates the sale or use of fireworks as a part of that city's or that county's building code or fire code, those provisions of that county's or that city's building code or fire code which are not in conflict with this rule are not hereby preempted or affected.

(5) Each license and permit shall be issued and shall remain valid and effective for the thirteen-month period beginning on January 1 of the year in which application is made and ending January 31 of the following year.

(6) Only Division 1.4G consumer fireworks, obtained from state-licensed wholesalers, not otherwise prohibited by chapter 70.77 RCW or local ordinance, and holiday related products incidental but related to these products, may be sold in retail fireworks stands.

(7) Except as limited by local ordinance, fireworks may be sold from 12:00 noon to 11:00 p.m. on June 28 through 9:00 p.m. on July 5. Fireworks may not be sold between the hours of 11:00 p.m. and 9:00 a.m. from June 28 through July 3. Fireworks may not be sold from 12:00 midnight on July 4 through 9:00 a.m. on July 5.

(8) Except as limited by local ordinance, fireworks may be sold from 12:00 noon to 11:00 p.m. on each day from the 27th of December through the 31st of December of each year.

(9) Licensees shall familiarize all persons working in a retail fireworks stand with the provisions of these rules.

(10) Failure to comply at any time with the provisions of this rule or any other applicable regulation shall constitute a violation of chapter 70.77 RCW and may result in the temporary suspension or immediate revocation of the license or permit, closure of the fireworks sales or storage structure, the seizure and/or forfeiture of some or all of the fireworks, and other criminal penalties as specified by law.

(11) The local authority having jurisdiction, with the concurrence of the state fire marshal, is authorized to modify any of the provisions of WAC 212-17-21509, 212-17-21511, 212-17-21513, 212-17-21515, and 212-17-21517 upon written application by the licensee or a duly authorized representative, where there are practical difficulties in the way of carrying out the provisions of these sections, provided that the spirit of the rule shall be complied with, public safety secured and substantial justice done. The particulars of such modification shall be registered with the state fire marshal.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-21505, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW. 98-04-007, § 212-17-21505, filed 1/23/98, effective 2/23/98.]

WAC 212-17-21507 Retailers of fireworks—Transportation. When transporting fireworks, licensees shall comply with all federal, state and local transportation requirements, provided that, upon request of the licensee, the local authority having jurisdiction may waive or modify the local transportation requirements. Nothing in these rules shall restrict the right of any person to transport, in a private vehicle, fireworks which have been legally purchased from a retail fireworks licensee.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-21507, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW. 98-04-007, § 212-17-21507, filed 1/23/98, effective 2/23/98.]

WAC 212-17-21509 Retailers of fireworks—Location. (1) Activities or uses subject to this rule shall not be limited in location except where such activities or uses are prohibited or controlled by local development regulation, traffic safety or road construction standards.

(2) Temporary retail fireworks stands shall not be located more than one hundred fifty feet from a private way, fire department access road, public road, street or highway as measured by an approved route around the exterior of the stand. The minimum requirements for a private way shall be determined by the local authority having jurisdiction, but shall not exceed the requirements of locally adopted street, road and access standards.

(3) Any two retail fireworks stands shall be at least one hundred feet apart or shall be separated by a road, street or highway not less than thirty feet in width.

(4) Retail fireworks stands shall be located as required by Table 212-17-21509 in this section. The minimum required area surrounding the stand shall be marked or flagged, except that flagging and marking shall not block a sidewalk or pedestrian pathway. Flagging need not exceed twenty feet in any direction.

Retail Fireworks Stands - Minimum Clearances						
	Buildings	Combustibles	Property Line	Parking	Motor Vehicle Traffic PUBLIC ROAD*	Motor Vehicle Traffic PRIVATE WAY
BACK OF STAND	20 FT.	20 FT.	5 FT.	20 FT.	20 FT.	5 FT.
SIDE OF STAND	20 FT.	20 FT.	5 FT.	20 FT.	20 FT.	5 FT.
FRONT OF STAND	40 FT. 20 FT.**	40 FT. 20 FT.**	20 FT.	20 FT.	20 FT.	20 FT.

NOTE: Clearance distances are not cumulative

- * Measured from the outer edge of the nearest traffic lane.
- ** If stand is equipped with 135 fusible links which will automatically close all sales doors in case of fire, or is equipped with a wire-mesh screen with openings of not more than one inch which covers not less than 90% of all sales openings.

(5) Retail fireworks stands shall not be located closer than one hundred feet from any motor vehicle dispensing station, retail propane dispensing station, flammable liquid storage, or combustible liquid storage. Retail fireworks stands shall not be located closer than three hundred feet from any bulk storage of flammable or combustible liquid or gas, including bulk plant dispensing areas.

EXCEPTION: 1. Fuel for generators as allowed by WAC 212-17-21513(4).
2. Fuel within the tanks of motor vehicles.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-21509, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW. 98-04-007, § 212-17-21509, filed 1/23/98, effective 2/23/98.]

WAC 212-17-21511 Retailers of fireworks—Area around the retail fireworks stand. (1) The minimum areas around the retail fireworks stand specified in WAC 212-17-21509 shall be kept free of accumulation of dry grass, dry brush and combustible debris. No parking shall be permitted within this minimum area.

(2) No motor vehicle or trailer may be parked within twenty feet of a retail fireworks stand except when delivering, loading or unloading fireworks.

(3) Fireworks shall not be discharged within one hundred feet of a retail fireworks stand. Signs reading "NO FIREWORKS DISCHARGE WITHIN 100 FEET" in letters at least two inches high, with a principal stroke of not less than one-half inch, on contrasting background, shall be conspicuously posted on all four sides of the stand.

(4) No smoking shall be allowed within the retail fireworks stand or within the minimum flagged off area. Signs reading "NO SMOKING WITHIN 20 FEET" in letters at least two inches high, with principal stroke of not less than one-half inch, on a contrasting background, shall be conspicuously posted on all four sides of the stand.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-21511, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW. 98-04-007, § 212-17-21511, filed 1/23/98, effective 2/23/98.]

WAC 212-17-21513 Retailers of fireworks—Stand use and construction. (1) Fireworks may be sold from:

(a) A permanent structure which meets provisions of WAC 212-17-21505(3).

(b) Temporary, stable structures made from wood, metal, fiberglass or other material. Any temporary fireworks retail stand greater than four hundred square feet shall meet the requirements of a permanent structure, except tents or canopies as defined in the International Fire Code.

(c) Tents, canopies, or structures utilizing temporary membrane material. All tents, canopies or temporary membrane materials structures shall be made from fire retardant material or treated with a fire retardant as identified in the International Fire Code. Any tent, canopy or temporary membrane material structure falling within the scope of the International Fire Code shall comply with those requirements.

(2007 Ed.)

When those requirements are in conflict with other provisions of these rules, the more restrictive provisions shall apply.

(2) Battery powered equipment, electrical equipment and electrical cords which are used in conjunction with a retail fireworks stand or a temporary storage structure or location must be listed by a recognized laboratory and used in accordance with that listing. If electrical power is supplied by an extension cord, the size of the cord, the length of the cord and the amperage and the voltage supplied shall be in compliance with the requirements of the National Electrical Code, current edition. The cord shall be protected as necessary from "drive-over" and other physical damage. No additional permits from a city or county or state official having jurisdiction shall be required for these temporary uses except as specified in subsection (5) of this section.

(3) All heating units shall be listed by a recognized testing laboratory and shall be used in accordance with the listing. Heating sources shall have "tip-over" and temperature overheat protection. All heating devices shall have sealed type elements (i.e., oil filled or water filled radiator type). Open flame heating devices are prohibited.

(4) Generators which use combustible fuel and which are at least twenty feet from the retail fireworks stand or the temporary fireworks storage structure shall be allowed. Generator fuel shall be limited to not more than five gallons and stored at least twenty feet from all stands.

(5) Compliance with the National Electrical Code, current edition, shall be required for all new, permanent electrical installations, including temporary power drops, subject to possible permit fees.

(6) Retail sales of fireworks and other products which are holiday related shall be from buildings used for no other purpose.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-21513, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW. 98-04-007, § 212-17-21513, filed 1/23/98, effective 2/23/98.]

WAC 212-17-21515 Retailers of fireworks—Operation of retail fireworks stands. (1) A clear aisle or walkway not less than twenty-four inches wide shall be maintained inside the full length of the structure. Customers shall only be permitted inside a temporary retail fireworks stand that is greater than four hundred square feet and which meets minimum exit requirements of the International Building Code and International Fire Code, as now or amended hereafter.

(2) Each temporary retail fireworks stand must have at least two exits, at least twenty-eight inches in width, located at opposite ends of the structure. Exits must remain unlocked and unobstructed during the hours of operation or when the stand is occupied.

(3) Sleeping inside a retail fireworks stand or an associated temporary fireworks storage facility is prohibited.

(4) The location of the nearest permanently mounted telephone must be posted inside the retail fireworks stand and persons working in the stand shall be informed of that location.

(5) The local emergency telephone number shall be conspicuously posted inside the retail fireworks stand.

(6) Each retail fireworks stand shall be equipped with two approved, pressurized two and one-half gallon water-type fire extinguishers.

(7) No open flames nor any type of open flame equipment shall be allowed in any retail fireworks stand.

(8) Retail fireworks stands shall be secured when unoccupied and not open for business if fireworks are kept in the structure during these times. Retail fireworks stands shall never be locked when occupied. The fireworks may be removed and transferred to a temporary storage structure or location approved as a part of the license and permit.

(9) At least one adult person, eighteen years of age or older shall be present at all times in every retail fireworks stand during the hours of sale to the public and shall be responsible for supervision of the retail fireworks stand and its operation. No person, other than customers, under the age of sixteen shall be allowed within a retail fireworks stand when it is open to the public. Fireworks, except for prepackaged assortments, boxes, or similarly packaged containers of more than one item, whether of the same or different kind, must be displayed in a manner which prevents the fireworks from being handled by the public or a customer without the direct intervention of the licensee or his or her representative who shall maintain visual contact.

(10) Retail fireworks stands may be required to be inspected by the state fire marshal and/or the local jurisdiction issuing the permit prior to opening for business and other inspections may occur on other days as warranted but there shall be no additional charge for all such inspections.

(11) In order to obtain return of a clean-up bond if required by the local authority having jurisdiction as a condition of permit, the cleanup of debris associated with the retail fireworks activity and the removal of all structures authorized by the license and permit shall occur on or before the last day of the storage period specified in these rules.

(12) Fireworks retailers shall not knowingly sell fireworks to persons under the age of sixteen.

(a) A sign reading "no sale of fireworks to persons under the age of sixteen years. PHOTO ID REQUIRED" in letters at least two inches high, with a principal stroke of not less than one-half inch, on contrasting background, shall be conspicuously posted on the front of each retail fireworks stand.

(b) Sellers shall require proof of age by means of display of a driver's license or photo identification card showing date of birth issued by a public or private school, state, federal or foreign government. No other forms of identification shall be accepted.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-21515, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW. 98-04-007, § 212-17-21515, filed 1/23/98, effective 2/23/98.]

WAC 212-17-21517 Retailers of fireworks—Temporary fireworks storage associated with the retail fireworks stand operation. (1) Temporary fireworks storage is not permanent fireworks storage. Temporary fireworks storage is defined as storage associated with retail fireworks sales and may only be from June 13 through July 31 and from December 12 through January 10 of the following year. Permanent fireworks storage is associated with retail or wholesale fireworks activities when the period of time of storage is

other than, or longer than that specified for temporary storage. Temporary fireworks storage shall be in accordance with this section. Permanent fireworks storage is subject to the International Fire Code and the International Building Code and local ordinances.

(2) Delivery of fireworks to a location, or storage of fireworks in a facility, not authorized by the license and permit is prohibited. If the approved storage location is outside the jurisdiction issuing the permit, the authority issuing the permit shall notify the appropriate authorities of the jurisdiction in which the storage is to be located.

(3) A temporary fireworks storage facility or a temporary fireworks storage location shall be authorized as a part of a license and permit if it meets the requirements specified herein.

(4) No open flames nor any type of open flame equipment shall be allowed in any temporary fireworks storage structure.

(5) Storage of fireworks authorized by a retail license and permit is legal only during the periods specified in this section.

(6) Fireworks may be stored:

(a) In a locked or secured retail fireworks stand; or

(b) In a locked or secured truck, container, trailer, other vehicle or anything similar which is not less than twenty feet from the retail fireworks stand during hours of retail sales; or

(c) In a locked or secured truck, container, trailer, other vehicle or anything similar which is not less than twenty feet from an inhabited building where the term "inhabited building" is defined as in the International Fire Code; or

(d) In a magazine which meets the minimum standards of Type 4 as prescribed by the International Fire Code, and which is not less than ten feet from an inhabited building where the term "inhabited building" is defined as in the International Fire Code; or

(e) In a locked or secured metal or wooden garage, shed, barn or other accessory building, or anything similar which is not less than:

20 feet from an inhabited building for storage of fireworks for one or two retail stands; or

30 feet from an inhabited building for storage of fireworks for three or more stands.

The term "inhabited building" is defined as in the International Fire Code.

(7) The local authority having jurisdiction may reduce the minimum separation requirements of this section provided that safety of life and property is not diminished.

(8) No cooking is permitted in a retail fireworks stand or in a temporary fireworks storage structure.

(9) Temporary fireworks storage structures may be inspected prior to use and other inspections may occur on other days as warranted. There shall be no additional charge for all such inspections.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-21517, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW. 98-04-007, § 212-17-21517, filed 1/23/98, effective 2/23/98.]

WAC 212-17-21519 Retailers of fireworks—Cleanup. (1) At the end of the legal selling period, all fireworks must remain in the retail fireworks stand, temporary

storage location authorized by the retail permit or another location approved by the local authority having jurisdiction or his or her designee until returned to the suppliers from which they were obtained, or until transferred to an approved location.

(2) Cities and counties may require a clean-up bond, not to exceed five hundred dollars, as a condition of the permit, to ensure the removal of all structures and debris from the site.

(3) In order to obtain return of a clean-up bond, cleanup of debris associated with the retail fireworks activity and the removal of all temporary structures authorized by the license and permit shall be completed no later than 11:59 p.m., July 15 for the Fourth of July selling period or no later than 11:59 p.m., January 10 for the New Year's selling season.

(4) Failure of the licensee to comply with subsection (3) of this section shall constitute forfeiture of the clean-up bond and the licensee shall be liable for any clean-up costs incurred by the city or county which exceed the amount of the bond.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-21519, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapters 70.77 and 43.43 RCW. 98-04-007, § 212-17-21519, filed 1/23/98, effective 2/23/98.]

PART VI—PYROTECHNIC OPERATOR

WAC 212-17-220 Pyrotechnic operators—General.

Pyrotechnic operators are licensed to conduct public displays of fireworks and articles pyrotechnic. No public display license is issued unless at least one licensed pyrotechnic operator is listed on the application as being responsible for conducting the display.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-220, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-220, filed 11/2/82.]

WAC 212-17-225 Pyrotechnic operators—Application for license. Application for license shall be made on forms prepared by the director of fire protection and shall be accompanied by the annual license fee. Every applicant for a pyrotechnic operators license shall take and pass a written examination administered by the director of fire protection and shall submit evidence attesting to the qualifications and experience of the applicant, including participation in the firing of at least six public displays as an assistant, at least one of which shall have been in the current or preceding year.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-225, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-225, filed 11/2/82.]

WAC 212-17-230 Pyrotechnic operators—Examination, investigation and licensing. Upon receipt of application and license fee, the director of fire protection shall cause an investigation to be made as to the experience and competency of the applicant to conduct and supervise a public display of fireworks in a safe manner. Past experience in assisting in public displays shall be verified with the licensed pyrotechnic operator under whose supervision the applicant assisted. If experience requirements are satisfactory, the director of fire protection shall schedule a written examination for the applicant. A passing score of at least eighty percent shall be attained on the written examination. An appli-

(2007 Ed.)

cant failing the written examination may reapply within thirty days to retake the examination. No reexamination shall be taken within thirty days of the previous and no more than two examinations may be taken by the applicant in the same calendar year. Any applicant failing to appear for the written examination at the time and location established or who fails the written examination and fails to reapply within thirty days, or fails the examination on the second attempt, is deemed to have forfeited the license fee. All applicants shall submit to a background check through the Washington state patrol criminal records division. Costs for the background check shall be the responsibility of the applicant. The director of fire protection shall grant or deny the license on the basis of the successful completion of the investigation and examination.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-230, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-230, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-230, filed 11/2/82.]

WAC 212-17-235 Pyrotechnic operators—Responsibility. The pyrotechnic operator shall be responsible for properly setting up the fireworks public display in accordance with the rules and regulations of the director of fire protection. He/she shall determine that all the mortars, set pieces, are properly installed and that the proper safety precautions have been taken to insure the safety of persons and property. He/she shall have charge of all activities directly related to handling, preparing and firing all fireworks at the public display, including fixing lifting charges and quick match as needed to aerial shells.

The pyrotechnic operator shall refuse to fire any fireworks that are deemed by him/her to be unsafe or where its discharge might jeopardize life or property.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-235, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-235, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-235, filed 11/2/82.]

WAC 212-17-240 Pyrotechnic operators—Observance of laws, rules and regulations. Pyrotechnic operators shall strictly observe the provisions of the state fireworks law and these rules.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-240, filed 11/2/82.]

PART VII—PUBLIC DISPLAY LICENSE

WAC 212-17-245 Public displays of fireworks—General. Persons desiring to hold a public display of fireworks shall secure a license from the director of fire protection and a permit from the governmental agency having jurisdiction. Application for local permit must be made at least ten days in advance.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-245, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-245, filed 11/2/82.]

WAC 212-17-250 Public displays of fireworks—Application, state license. Application for fireworks public

display license shall be made on forms provided by the director of fire protection and shall be accompanied by the prescribed license fee.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-250, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-250, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-250, filed 11/2/82.]

WAC 212-17-255 Public displays of fireworks—

Type of license. A public display license authorizes the applicant to conduct a public display of fireworks at a given location only. A "general" license for public display of fireworks authorizes public displays of fireworks at any locations or dates within the current year.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-255, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-255, filed 11/2/82.]

WAC 212-17-260 Public displays of fireworks—General licenses.

Application for a "general" license to hold public displays of fireworks shall be accompanied by a surety bond or a certificate evidencing public liability insurance. Such bond and public liability insurance shall be noncancelable except upon fifteen days' written notice by the insurer to the director of fire protection.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-260, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-260, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-260, filed 11/2/82.]

WAC 212-17-270 Public displays of fireworks—

Local permit, application for. When applying for permit, applicant shall submit information and evidence to local fire authorities covering the following:

- (1) The name of the organization sponsoring the display, if other than the applicant.
- (2) The date the display is to be held.
- (3) The exact location for the display.
- (4) The name and license number of the pyrotechnic operator who is to supervise discharge of the fireworks and the name of at least one experienced assistant.
- (5) The number of set pieces, shells (specify single or multiple break), and other items.
- (6) The manner and place of storage of such fireworks prior to the display.
- (7) A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways, and other lines of communication, the lines behind which the audience will be restrained, the location of all nearby trees, telegraph or telephone lines, or other overhead obstruction.

- (8) Documentary proof of procurement of:

Surety bond;
Public liability insurance; or

A director of fire protection's "general license" for the public display of fireworks.

- (9) Permittee shall be responsible for compliance with the provisions under which a public display permit has been granted.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-270, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-270, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-270, filed 11/2/82.]

WAC 212-17-275 Public displays of fireworks—

Investigation. The officer to whom the application for permit is made shall make, or cause to be made, investigation of site of the proposed display for the purpose of determining if the fireworks will be of such a character or so located as to be hazardous to property or dangerous to any person. He shall also determine whether the provisions of the state fireworks law and these rules and regulations are complied with in the case of a particular display. He shall, in the exercise of reasonable discretion, grant or deny the application subject to reasonable conditions, if any, as he may prescribe, taking into account locations, parking of vehicles, controlling spectators, storage and firing fireworks, and precautions in general against danger to life and property from fire, explosion, and panic.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-275, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-275, filed 11/2/82.]

WAC 212-17-280 Public displays of fireworks—Permits may not be granted, when.

No permit shall be granted for any public display of fireworks where the discharge, failure to fire, faulty firing, or fallout of any fireworks or other objects would endanger persons, buildings, structures, forests, brush, or other grass covered land.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-280, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-280, filed 11/2/82.]

WAC 212-17-285 Public displays of fireworks—

Spectators. Spectators at public displays of fireworks shall be restrained behind lines or barriers as designated by local authorities. Only authorized persons and those in actual charge of the display shall be allowed inside these lines or barriers during the unloading, preparation, or firing of fireworks.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-285, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-285, filed 11/2/82.]

WAC 212-17-290 Public displays of fireworks—

Pyrotechnic operators. No public display permit shall be granted unless at least two experienced pyrotechnic operators are provided, one of whom shall be a licensed pyrotechnic operator. The licensed operator shall:

- (1) Be responsible for and have charge of the display with respect to preparation for transporting, unloading, storing, preparing special effects, set and mechanical pieces, setting mortars and rocket launchers, loading, arming and firing and disposing of all unfired or defective (dud) rockets, missiles and fireworks articles or items;

- (2) Be responsible for setting all fireworks including mortars, finale batteries (hedgehogs) and rocket launchers at locations designated by the authority having jurisdiction and

take into account wind direction and velocity predicted for the firing time in setting the firing angles. Shells, rockets and/or missiles shall not be permitted to cross or burst above areas occupied by persons;

(3) Be held responsible for acts of his assistants in connection with the display, from delivery to final firing who, through smoking, drinking, carelessness or negligence or any other act, endangers the safety of himself, any other person, or any property.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-290, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-290, filed 11/2/82.]

PART VIII—PUBLIC DISPLAYS

WAC 212-17-295 Public display—General. The intent of this chapter shall be to provide requirements for clearances upon which the authority having jurisdiction shall base its approval of an outdoor fireworks display site. Where added safety precautions have been taken, or particularly favorable conditions exist, the authority having jurisdiction shall be permitted to decrease the required separation distances as it deems appropriate, upon demonstration that the hazard has been reduced or the risk has been properly protected. Where unusual or safety-threatening conditions exist, the authority having jurisdiction shall be permitted to increase the required separation distances as it deems necessary.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 06-12-010, § 212-17-295, filed 5/26/06, effective 6/26/06; 05-12-033, § 212-17-295, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-295, filed 11/2/82.]

WAC 212-17-300 Public display—Definitions. For the purpose of this section, the following terms shall have the meanings shown:

(1) Assistant. A person who works under the direction of the pyrotechnic operator in charge to put on an outdoor fireworks display. The duties of an assistant include such tasks as: Loading mortars, spotting the bursting location of aerial shells, tending a ready box, setting up and cleaning the discharge site, igniting fireworks, etc.

(2) Barrage. A rapidly fired sequence of aerial fireworks. Mortars are loaded prior to the display and the aerial shells are chain fused to fire in rapid sequence.

(3) Black match. A fuse made from thread impregnated with black powder and used for igniting pyrotechnic devices.

(4) Boxed finale. A number of mortars grouped closely together and contained by a suitable frame. The mortars are loaded prior to the display and fused for rapid sequence firing.

(5) Break. An individual effect from an aerial shell; generally either color (stars) or noise (salute). Aerial shells can be single-break (having only one effect) or multiple-break (having two or more effects).

(6) Chain fusing. A series of two or more aerial shells fused so as to fire in sequence from a single ignition. Finales and barrages are typically chain fused.

(7) Colored pot. A paper tube containing pyrotechnic composition that produces a colored flame on ignition. Col-

ored pots are used in the construction of ground display pieces.

(8) Discharge site. The area immediately surrounding the mortars used to fire the aerial shells.

(9) Electric match. A device consisting of wires terminating at a high resistance element surrounded with a small quantity of heat sensitive pyrotechnic composition. When a sufficient electric current is passed through the wire circuit, the heat that is generated ignites the pyrotechnic composition, producing a small burst of flame. This flame can be used to ignite a fuse or a lift charge in a fireworks device.

(10) Electrical firing unit. The source of electrical current used to ignite electric matches. Generally the firing unit will have switches to control the routing of the current to various firework items and shall have test circuits and warning indicators, etc.

(11) Electrical ignition. A technique used to discharge fireworks in which an electric match and source of electric current are used to ignite fuses or lift charges. The electric matches are attached prior to the display, generally with wires connected to an electrical firing unit during the display.

(12) Fallout area. The area over which aerial shells are fired. The shells burst over this area, and unsafe debris and malfunctioning aerial shells fall into this area.

(13) Finale. A rapidly fired sequence (barrage) of aerial fireworks, typically fired at the end of a display. The mortars are loaded prior to the display and the aerial shells are chain fused to fire in rapid sequence.

(14) Finale rack. A row of closely spaced two-inch (51 mm) or three-inch (76 mm) inside diameter, mortars held in a wooden frame. It is similar to a boxed finale.

(15) Fireworks display. An outdoor display of special fireworks performed as entertainment.

(16) Flash powder. Explosive composition intended for use in firecrackers and salutes. Flash powder produces an audible report and a flash of light when ignited. Typical flash powder composition contains potassium chlorate or potassium perchlorate, sulfur or antimony sulfide, and powdered aluminum.

(17) Fusee. A highway distress flare, sometimes used to ignite fireworks at outdoor fireworks displays.

(18) Ground display piece. A pyrotechnic device that functions on the ground (as opposed to an aerial shell which functions in the air). Typical ground display pieces include fountains, roman candles, wheels, "set pieces."

(19) Lance. A thin cardboard tube packed with color-producing pyrotechnic composition used to construct ground display pieces. Lances are mounted on a wooden frame and fused so that ignition of all tubes is simultaneous.

(20) Lift charge. That part of an aerial shell which actually lifts the shell into the air. It usually consists of a black powder charge ignited by a quick match fuse. A delay fuse then ignites the main part of the shell, producing the desired effect.

(21) Manual ignition. A technique used to ignite fireworks using a handheld ignition source such as a fusee or port fire.

(22) Monitor. A person designated by the licensee of the display to keep the audience in the intended viewing area and out of the discharge site and fallout area.

(23) Mortar. A metal or heavy cardboard tube from which aerial shells are fired.

(24) Mortar rack. A strong wooden or metal frame containing closely spaced mortars. Such racks are most often used for barrages and finales, and in electrically ignited displays.

(25) Mortar trough. Above ground structures filled with sand or similar material into which mortars are positioned ready for use in a fireworks display.

(26) Movable ground piece. A ground display piece having movable parts, such as a revolving wheel.

(27) No-fire current. The maximum current that can be applied to an electric match for five seconds at room temperature without the match igniting.

(28) Operator. The licensed pyrotechnician (pyrotechnic operator) responsible for setting up and firing a public fireworks display.

(29) Potential landing area. The area over which shells are fired. The shells will normally burst over this area, but debris and malfunctions will fall into this area; therefore, it must be kept clear of spectators.

(30) Quick match. Black match that is encased in a loose-fitting paper sheath. While exposed black match burns slowly, quick match propagates flame extremely rapidly, almost instantaneously. Quick match is used in fuses for aerial shells and for simultaneous ignition of a number of pyrotechnic devices, such as lances in a ground display piece.

(31) Safety cap. A paper tube, closed at one end, that is placed over the end of the fuse of an aerial shell to protect it from accidental ignition. The cap is not removed until just before firing of the shell.

(32) Salute. A special firework that is designed to produce a loud report.

(33) Salute powder. A pyrotechnic composition which makes a loud report when ignited and constitutes the sole pyrotechnic mixture in a salute.

(34) Shell (aerial). A cylindrical or spherical cartridge containing pyrotechnic composition, a long fuse, and a black powder lift charge. The shells are most commonly three-inch (76 mm) to six inch (152 mm) outside diameter and are fired from mortars. Upon firing, the fuse and lift charge are consumed.

(35) Stars. Small masses of pyrotechnic compounds that are projected from aerial shells, mines, or roman candles.

(36) Theatrical flash powder. A pyrotechnic composition intended for use in theatrical shows. Theatrical flash powder produces a flash of light when ignited. Typical theatrical flash powder burns more slowly than salute powder and may also produce a shower of sparks. Theatrical flash powder is not intended to produce a loud report.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-300, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 90-10-006 (Order 90-02), § 212-17-300, filed 4/19/90, effective 5/20/90. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-300, filed 11/2/82.]

WAC 212-17-305 Public display—Construction of shells. (1) Shells shall be classified and described only in terms of the inside diameter of the mortar in which they can be safely used (e.g., 3-inch shells are only for use in 3-inch mortars).

(2) Shells shall be constructed so that the difference between the inside diameter of the mortar and the outside diameter of the shell is no less than 1/8 inch (3.2 mm) and no more than 1/4 inch (6.4 mm) for two-inch (51 mm) and three-inch (76 mm) shells or 1/2 inch (12.7 mm) for shells larger than three-inch (76 mm).

(3) Shells shall be labeled with the type of shell, the diameter measurement, and the name of the manufacturer or distributor. Shells shall also carry a warning label complying with 16 CFR 1500.121, 1981.

(4) The label or wrapper of any type of aerial salute shall be conspicuously marked with the word "salute."

(5) Single-break salute shells shall not exceed three inches in diameter or three inches in length (exclusive of the propellant charge). The maximum quantity of salute powder in such salutes shall not exceed 2.5 ounces (71 g).

(6) For single-break shells containing multiple internal salutes and for multibreak shells, the maximum quantity of salute powder per internal unit shall not exceed 2.5 ounces (71 g) with no more than 5 ounces (142 g) total salute powder in any one shell.

(7) The length of the internal delay fuse and the amount of lift charge shall be sized to insure proper functioning of the shells in their mortars. Quick match fuse shall be long enough to allow not less than 6 inches (152 mm) of fuse to protrude from the mortar after the shell has been properly inserted.

Exception: For electrically ignited displays, the requirement shall be that the length of wire on the electric match shall be long enough that not less than 6 inches (152 mm) protrude from the mortar when the shell has been properly inserted.

(8) The length of exposed black match on a shell shall not be less than 3 inches (76 mm) and the fuse shall not be folded or doubled back under the safety cap.

In order to allow the person igniting the aerial shells to safely retreat, the time delay between igniting the tip of the shell's fuse and the firing of the shell shall not be less than three seconds or more than six seconds.

Exception: For electrically ignited displays, there is no requirement for a delay period.

(9) A safety cap shall be installed over the exposed end of the fuse. The safety cap shall be of a different color than that used for the paper of the fuse.

Exception: For electrically ignited displays, there is no requirement for safety caps except that there shall be no exposed pyrotechnic composition.

[Statutory Authority: Chapter 70.77 RCW. 90-10-006 (Order 90-02), § 212-17-305, filed 4/19/90, effective 5/20/90. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-305, filed 11/2/82.]

WAC 212-17-310 Public display—Storage of shells.

A ready box shall be a portable, weather-resistant container that protects contents from burning debris with a self-closing cover or equivalent means of closure required.

(1) After delivery and prior to the display, all shells shall be separated according to size and their designation as salutes.

(2) Any display fireworks that will be temporarily stored at the display site during the fireworks display shall be stored in ready boxes separated according to size and their designation.

tion as salutes. Tarpaulins shall not be considered as ready boxes.

Exception: For electrically ignited displays, or displays where all shells are loaded into mortars prior to the show, there is no requirement for separation of shells according to size, for their designation as salutes, or for the use of ready boxes.

(3) During the performance of an outdoor fireworks display, ready boxes shall be located at a distance not less than twenty-five feet upwind from the mortar placements. If the wind shifts during a display, the ready boxes shall be located again to be upwind from the discharge site.

Exception No. 1: Where permitted by the authority having jurisdiction, alternate measures shall be taken.

Exception No. 2: Where there are no shells requiring storage during a display, such as for an electrically ignited display, no ready boxes shall be required.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 06-12-010, § 212-17-310, filed 5/26/06, effective 6/26/06; 05-12-033, § 212-17-310, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 90-10-006 (Order 90-02), § 212-17-310, filed 4/19/90, effective 5/20/90. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-310, filed 11/2/82.]

WAC 212-17-315 Public display—Installation of mortars. (1) Prior to placement, mortars shall be inspected carefully for defects, such as dents, bent ends, damaged interiors, and damaged plugs. Defective mortars shall not be used.

(2) Mortars shall be positioned and spaced so that shells are propelled away from spectators, over the fallout area, and to afford maximum protection to the shooter and loader. Under no circumstances shall mortars be angled toward the spectator viewing area.

(3) Where mortars are to be reloaded during a display, mortars of various sizes shall not be intermixed. Mortars of the same size shall be placed in groups, and the groups shall be separated from one another.

(4) Mortars of any type six inches in diameter or less shall be permitted to be reloaded and fired up to seven times during a performance.

Exception: There shall be no limit to the number of times a steel mortar six inches or less is permitted to be reloaded.

(5) Mortars shall be positioned to afford protection to the spectators and display personnel.

(6) Mortars shall be inspected before the first shells are loaded to ensure that no water or debris has accumulated in the bottom of the mortar.

(7) Mortars shall be of sufficient strength and durability to fire the aerial shells and be used safely.

(8) Paper, HDPE, and fiberglass mortars are among the types of mortar that shall be permitted to be used.

(9) Cast iron, stove pipe, corrugated culvert, clay, bamboo, and wood shall not be used to make mortars.

(10) Metal mortars shall be either seamed or seamless; however, seamed mortars shall be placed so that all seams face either right or left when viewing the line of mortars.

(11) Steel mortars used to fire single break salute shells shall be buried according to WAC 212-17-321.

(12) Mortars shall be of sufficient length to cause aerial shells to be propelled to safe heights.

(2007 Ed.)

(13) The dimension of the inside diameter of the mortar shall be conspicuously painted or otherwise marked on the top of the mortar.

Exception: Designation of the inside diameter shall not be required for outdoor fireworks displays fired under the direct control of a professional fireworks display company.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 06-12-010, § 212-17-315, filed 5/26/06, effective 6/26/06. Statutory Authority: Chapter 70.77 RCW. 90-10-006 (Order 90-02), § 212-17-315, filed 4/19/90, effective 5/20/90. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-315, filed 11/2/82.]

WAC 212-17-317 Public display—Electrical firing unit. (1) At no point shall electrical contact be allowed to occur between any wiring associated with the electrical firing unit and any metal object in contact with the ground.

(2) If the electrical firing unit is powered from AC power lines, some form of line isolation shall be employed (e.g., a line isolation transformer).

(3) The electrical firing unit shall include a key operated switch or other similar device that greatly reduces the possibility that unauthorized or unintentional firings can occur.

Exception: When the electrical firing unit is very small in size, and is only in the immediate area and attached to the wire running to electric matches for the brief duration of the actual firing, there is no requirement for a key operated switch.

(4) Manually activated electrical firing units shall be designed such that at least two positive actions must be taken to apply electric current to an electric match. For example, this might be accomplished with two switches in series, both of which must be operated in order to pass current.

(5) Computer activated electrical firing units shall have some form of "dead-man-switch," such that all firings will cease the moment the switch is released.

(6) If the electrical firing unit has a built-in test circuit, the unit shall be designed to limit the test current (into a short circuit) to 0.05 ampere or to twenty percent of the no-fire current of the electric match, whichever is less. Multitesters such as Volt-Ohm Meters shall not be used for testing unless their maximum current delivering potential has been measured and found to meet these requirements.

(7) When any testing of firing circuits is performed, no person shall be allowed to be present in the immediate area of fireworks that have been attached to the electrical firing unit.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-317, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 90-10-006 (Order 90-02), § 212-17-317, filed 4/19/90, effective 5/20/90.]

WAC 212-17-320 Public display—Site selection. The intent of this section is to provide minimum clearances between the discharge site and permanent buildings and spectator viewing areas, and recommended guidelines for overall site dimensions and other separation distances. Where unusual conditions exist, dimensions and separations may vary in accordance with the joint agreement of the operator and the local fire official.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-320, filed 11/2/82.]

WAC 212-17-321 Public display—Installation of buried mortars. (1) Mortars shall be buried to a depth of at

least two-thirds to three-quarters of their length, either in the ground or in aboveground troughs or drums.

(2) Where paper mortars are to be placed in damp ground or damp sand or are to be in the display, they shall be placed inside a water-resistant bag prior to placement in the ground.

(3) Wherever there is the likelihood of groundwater leaking into the mortar, the mortar shall be placed inside a water-resistant bag prior to placement in the ground.

(4) Weather-resistant coverings shall be placed over the mouth of mortars wherever there is imminent danger of water accumulating inside the mortar.

(5) Buried mortars shall be placed to prevent them from being driven into the ground or reangled when fired.

Exception: Where a mortar is to be used only once, such as for an electrically fired display, added support shall be optional and shall not be required.

(6) Mortars that are buried in the ground, in troughs, or in drums shall be separated from adjacent mortars by a distance at least equal to the diameter of the mortar.

Exception: Where electrical ignition of unchained aerial shells six inches and less in diameter is used, there is no requirement for separation of mortars.

(7) Mortars in troughs and drums shall be positioned to afford the maximum protection to the shooter.

(8) There shall be a separation distance of at least two inches or half the diameter of the mortar, whichever is greater, between the mortar and the trough or drum.

Exception: Where electrical ignition is used, all mortars placed in drums or troughs shall be spaced at least two inches from the wall of the drum or trough.

(9) If troughs and drums are used, they shall be filled with sand or soft dirt. In no case shall stones or other potentially dangerous debris be present.

(10) Troughs shall be reinforced or braced in a minimum of two places on the sides at intervals no greater than every four feet.

(11) Where possible, the narrow side of the trough shall face the greatest number of spectators and the firing progression shall develop in a direction away from the spectators.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 06-12-010, § 212-17-321, filed 5/26/06, effective 6/26/06.]

WAC 212-17-323 Installation of mortar racks. (1)

Single break shells not exceeding six inches in diameter shall be permitted to be fired from securely positioned mortar racks.

(2) Firing of single break shells that are seven or eight inches in diameter shall be permitted from securely positioned mortar racks provided the following conditions are met:

- (a) The mortar is not metallic;
- (b) Electrical or equivalent means of remote ignition is used to fire the shell; and
- (c) The shell is not chain fused to any other shells.

(3) Mortar racks or bundles shall be constructed in a thorough and workmanlike manner to be capable of holding multiple mortars in position during normal functioning.

(4) Mortar racks or bundles that are not inherently stable shall be secured or braced to stabilize them. Stabilization

shall be accomplished by using stakes, legs, A-frames, sideboards or equivalent means.

(5) Mortar racks of bundles shall be oriented, angled, or oriented and angled in such a way that maximizes the audience's safety.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 06-12-010, § 212-17-323, filed 5/26/06, effective 6/26/06.]

WAC 212-17-325 Public display—Discharge site. (1)

The area selected for the discharge of aerial shells shall be so located that the trajectory of the shells will not come within 25 feet (7.6 m) of any overhead object.

(2) Ground display pieces shall be located at a minimum distance of 75 feet (22.9 m) from spectator viewing areas and parking areas.

EXCEPTION: For movable ground pieces, such as wheels, this minimum distance shall be increased to 125 feet (38 m).

(3) Mortars shall be separated from spectator viewing areas, parking areas and occupied residences by at least 70 feet per inch of internal mortar diameter, except as noted.

MINIMUM RADIUS OF DISPLAY SITE FOR OUTDOOR DISPLAY OF FIREWORKS

Mortar Sizes	Minimum Radius of Display Site
Under 3 in.	140 ft.
3 in.	210 ft.
4 in.	280 ft.
5 in.	350 ft.
6 in.	420 ft.
8 in.	560 ft.
10 in.	700 ft.
12 in.	840 ft.
Over 12 in.	As approved by local fire official

(4) Distances from bulk storage areas of materials that have a flammability, explosive, or toxic hazard shall be twice that required in the table.

(5) Distances from health care and detention and correctional facilities shall be at least twice the distances specified in the table.

(6) The potential landing area shall be a large, clear, open area which has been approved by the local fire official.

(7) Spectators, vehicles, or any readily combustible materials shall not be located within the potential landing area during the display.

(8) When mortars are positioned vertically, the mortars shall be placed at the approximate center of the display site.

(9) When aerial shells are to be stored at the discharge site for subsequent loading into mortars during the display, mortars shall be placed at least 1/6, but not more than 1/3, the distance from the center of the display site toward the main spectator area. The mortars shall be angled such that any dud shells will fall at a point approximately equal to the offset of the mortars from the center of the display site but in the opposite direction.

[Statutory Authority: Chapter 70.77 RCW. 90-10-006 (Order 90-02), § 212-17-325, filed 4/19/90, effective 5/20/90. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-325, filed 11/2/82.]

WAC 212-17-327 Requirements for chain fusing. (1)

Wherever more than three shells are to be chain fused, such as for sequential firing, additional measures shall be required to prevent adjacent mortars from being repositioned in the event that a shell explodes in a mortar, causing it to burst.

(2) For buried mortars, prevention of repositioning shall be accomplished by spacing the mortars with a minimum separation distance of four times their diameter.

(3) For mortars in racks, prevention of repositioning shall be accomplished by mortar racks that have sufficient strength to withstand such a failure successfully.

(4) Chain-fused mortar racks shall be positioned to maximize the placement of racks perpendicular to spectator viewing areas.

(5) Chain-fused mortar racks containing mortars three inches or less in diameter shall be limited to a maximum of fifteen mortars per unit. Racks containing mortars four inches in diameter shall be limited to a maximum of twelve mortars. Racks containing mortars five to six inches in diameter shall be limited to a maximum of ten mortars. Chain-fused racks shall not be used for mortars greater than six inches.

Exception: Boxed finale items containing tubes two and one-half inches or less in diameter only shall not be required to comply with the limitation above.

(6) All chain-fused aerial fireworks devices, including those not in mortar racks such as roman candle batteries and multitube aerial items, shall be positioned securely to prevent tip over or hazardous movement during operation. This shall be accomplished by the use of stakes, racks, sandbags, earth, or equivalent means.

(7) Staple guns shall not be permitted to be used to secure quick match that is connected to aerial shells, mines, or comets.

(8) Chain-fused aerial shells shall not be permitted to be reloaded.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 06-12-010, § 212-17-327, filed 5/26/06, effective 6/26/06.]

WAC 212-17-330 Public display—Operation. General requirements.

(1) The licensee of the display shall provide adequate fire protection for the display, as required by the local fire official.

(2) The licensee shall consult with the local fire official to determine the level of fire protection and crowd control necessary.

(3) Monitors whose sole duty shall be the enforcement of crowd control shall be located around the display area by the licensee. The local fire and/or police officials shall determine the number of monitors needed and their placement.

(4) Monitors shall be located around the discharge site to prevent spectators or any other unauthorized persons from entering the discharge site. The discharge site shall be so restricted throughout the display and until the discharge site has been inspected after the display. Where practical, fences and rope barriers shall be used to aid in crowd control.

(5) If, in the opinion of local fire and/or police officials or the pyrotechnic operator, lack of crowd control should pose a danger, the display shall be immediately discontinued until such time as the situation is corrected.

(2007 Ed.)

(6) The pyrotechnic operator has the primary responsibility for safety. While the operator is allowed to actively participate in the firing of the fireworks display, the operator shall not become so busy as to allow interference with attention to safety.

(7) The pyrotechnic operator is responsible to ensure that a sufficient number of assistants are on hand for the safe conduct of the fireworks display. Only the operator and necessary assistants shall be permitted in the discharge area while the display is in progress.

(8) The pyrotechnic operator is responsible to ensure that all assistants are fully trained in the proper performance of their assigned tasks, and that they are knowledgeable of safety hazards.

(9) If, at any time, high winds or unusually wet weather prevail, such that in the opinion of local officials or the pyrotechnic operator a definite danger exists, the public display shall be postponed until weather conditions improve to an acceptable level.

(10) Light snow or mist need not cause cancellation of the display; however, all materials used in the display shall be protected from the weather by suitable means until immediately prior to use.

(11) Display operators and assistants shall use only flashlights or electric lighting for artificial illumination.

(12) No smoking or open flames shall be allowed in the shell storage area as long as shells are present. Signs to this effect shall be conspicuously posted.

[Statutory Authority: Chapter 70.77 RCW. 90-10-006 (Order 90-02), § 212-17-330, filed 4/19/90, effective 5/20/90. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-330, filed 11/2/82.]

WAC 212-17-335 Public display—Firing of shells. (1)

Shells shall be carried from the storage area to the discharge site only by their bodies, never by their fuses.

(2) Shells shall be checked for proper fit in their mortars prior to the display.

(3) When loaded into mortars, shells shall be held by the thick portion of their fuses and carefully lowered into the mortar. At no time shall the operator place any part of his body over the throat of the mortar.

(4) The operator shall be certain that the shell is properly seated in the mortar.

(5) Shells shall not, under any circumstances, be forced into a mortar too small to accept them. Shells that do not fit properly into the mortars shall not be fired; they shall be disposed of according to the supplier's instructions.

(6) Shells shall be ignited by lighting the tip of the fuse with a fusee, torch, portfire, or similar device. The operator shall never place any part of his body over the mortar at any time. As soon as the fuse is ignited, the operator shall retreat from the mortar area.

Exception: Alternatively, electrical ignition may be used.

(7) The safety cap protecting the fuse shall not be removed by the operator responsible for igniting the fuse until immediately before the shell is to be fired.

Exception: Where electrical ignition is used.

(8) The first shell fired shall be carefully observed to determine that its trajectory will carry it into the intended fir-

ing range and that the shell functions over, and any debris falls into, the potential landing area.

(9) The mortars shall be re-angled or reset if necessary at any time during the display.

(10) In the event of a shell failing to ignite in the mortar, the mortar shall be left alone for a minimum of fifteen minutes, then carefully flooded with water. Immediately following the display, the mortar shall be emptied into a bucket of water. The supplier shall be contacted as soon as possible for proper disposal instructions.

Exception: When electrical ignition is used and the firing failure is electrical in nature or the aerial shell was intentionally not fired, the shell may be salvaged by the pyrotechnic operator.

(11) It is the responsibility of the person igniting the aerial shells to detect when a shell does not fire from a mortar. The person shall warn others in the area and shall immediately cause the mortar to be marked to indicate the presence of an unfired aerial shell.

Exception: When electrically firing, it is not necessary to mark the mortar; however, persons entering the area after the fireworks display shall be warned that an unfired shell remains.

(12) Operators shall never attempt to repair a damaged shell nor shall they attempt to dismantle a dry shell. In all such cases, the supplier shall be contacted as soon as possible for proper disposal instructions.

(13) Operators shall never dry a wet shell, lance, or pot for reuse. In such cases, the shell, lance, or pot shall be handled according to disposal procedures.

(14) The entire firing range shall be inspected immediately following the display for the purpose of locating any defective shells. Any shells found shall be immediately doused with water before handling. The shells shall then be placed in a bucket of water. The supplier shall then be contacted as soon as possible for proper disposal instructions.

(15) When fireworks are displayed at night, the licensee shall insure that the firing range is inspected right after the show and at first light the following morning.

(16) The operator of the display shall keep a record, on a form provided by the director of fire protection, of all shells that failed to ignite or fail to function. The form shall be completed and returned to the director of fire protection. Failures shall also be reported to the supplier.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-335, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 90-10-006 (Order 90-02), § 212-17-335, filed 4/19/90, effective 5/20/90; 88-08-027 (Order FPS 88-01), § 212-17-335, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-335, filed 11/2/82.]

WAC 212-17-340 Public display—Ground pieces. (1)

All ground pieces shall be positioned out of the firing range of aerial displays. Mortars shall be positioned so that they do not fire towards any ground pieces.

(2) No dry grass or combustible material shall be located beneath ground pieces. If dry, the area should be thoroughly wet down before the display.

(3) Poles for ground pieces shall be securely placed and firmly braced so that they will not fall over when they function.

(4) Specific instructions from the supplier shall accompany ground pieces. A list of required accessories shall also be supplied.

[Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-340, filed 11/2/82.]

WAC 212-17-342 Public display—Floating vessels and platforms. (1)

Floating vessels and floating platforms shall be permitted to be manned or unmanned as long as the pyrotechnic crew remains in control of the site and firing of the display.

(2) Floating vessels and floating platforms shall be held in control at all times, whether self-propelled, controlled by another vessel, or secured by mooring or anchoring.

(3) Floating vessels and floating platforms shall be of sufficient strength and stability to safely allow the firing of the display.

(4) The types of fireworks and placement of the fireworks launch tubes and accompanying equipment shall be such that, when fired, the stability of the site structures and sea-worthiness of the floating vessels or platforms shall not be jeopardized.

(5) Floating vessels and floating platforms that are manned during electrical firing shall have a safety shelter. The safety shelter shall meet the following requirements:

(a) Be of sufficient size to accommodate all personnel present during the actual firing of the display;

(b) Have a minimum of three sides and a roof; and

(c) Have walls and a roof constructed of at least three-quarter-inch plywood or equivalent material.

(6) The minimum size for the floating vessel or floating platform for electrically fired programs that are manned shall be based upon the area for the setup of the display plus the safety area for the safety shelter.

Exceptions: (a) Multishot devices up to three inches in diameter shall be calculated at twice the actual footprint of each device (length x width).

(b) Ground display pieces shall be excluded from the calculations for minimum display set-up area.

The required minimum size for a barge (in square feet) for a particular display shall be determined by the following calculations: Minimum discharge site (in square feet) = sum of (total number of each size mortar times its inside diameter) divided by two.

Example:

A display containing one hundred three-inch shells, fifty four-inch shells, twenty five-inch shells, ten six-inch shells, and five eight-inch shells would require the following minimum display set-up area.

$$\frac{100 \times 3 + 50 \times 4 + 20 \times 5 + 10 \times 6 + 5 \times 8}{2}$$

$$\frac{300 + 200 + 100 + 60 + 40}{2}$$

$$700 / 2 = 350 \text{ square feet}$$

(7) Separation between mortars and safety shelter shall be two feet per inch of diameter of any mortars up to six inches in diameter. For shells larger than six inches in diameter, the minimum separation distance shall be four feet per inch of shell diameter.

Exception: If the safety shelter is constructed of stronger material, then the separation distance between mortars and the shelter shall be permitted to be reduced.

(8) At all times a minimum of two separate egress paths shall be provided. Only one egress path shall be required from protective barricades or safety shelters.

(9) Egress paths shall be unobstructed and free of impediments.

(10) Floating platforms constructed of wood or other combustible material shall be permitted to be used as a fireworks launch vessel.

(11) Manual firing of displays shall be permitted on floating vessels and floating platforms under the following conditions:

(a) All shells shall be preloaded into mortars prior to the display;

(b) Shells shall be limited to single-break and shall not exceed six inches in diameter;

(c) The minimum size of the floating vessel or floating platform shall be twice that required for an electrically fired display;

(d) A protective barrier(s) meeting the strength requirements of three-quarter-inch plywood or equivalent shall be provided. All personnel other than the shooter(s) and operator shall be behind the barrier(s) during the display; and

(e) Electrical firing on the same vessel or platform where manual firing is used shall be in accordance with the requirements for the electrical fired display.

(12) Shells shall be loaded into mortars and in place prior to the start of a display. There shall be no reloading of any material during the display.

(13) All personnel, other than spotters of fire watch, shall be in safety shelters. Spotters and fire watch on a floating platform or floating vessel shall be behind protective barriers during the display with a minimum wall construction of three-quarter-inch plywood or equivalent material.

(14) A U.S. Coast Guard approved personal flotation device (PFD) shall be provided and available for each person on a display launched from floating vessels and floating platforms. Those PFDs shall be properly worn any time the vessel is not moored at the dock. PFDs shall have or include a visual location device.

(15) A watercraft ready and capable of providing rapid emergency response shall be present during the display.

(16) The positions of the shells or mortars on floating vessels and floating platforms from which fireworks are launched shall comply with minimum safety distance requirements as outlined in WAC 212-17-325.

(17) An operational means of communication, such as a cellular/digital telephone, marine radio, or walkie-talkie system, shall be on board manned vessels and platforms from which fireworks are being discharged.

(18) During the display only necessary personnel shall be aboard any floating vessel or floating platform.

(19) Floating vessels and floating platforms shall be free of all nonessential flammable or combustible materials.

(20) Portable power-generation equipment, motorized vehicles, and material-handling equipment deemed necessary for the performance of the display shall be permitted.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 06-06-003, § 212-17-342, filed 2/16/06, effective 3/19/06.]

WAC 212-17-345 Public display—Reports. After every public display, it shall be the responsibility of the (2007 Ed.)

licensed pyrotechnic operator in charge of the display to submit a written report to the director of fire protection, within ten days following the display, covering:

(1) A brief report of any duds, defective shells, with manufacturer's name, and the type and size of shell.

(2) A brief account of the cause of injury to any person(s) from fireworks and such person's name and address.

(3) A brief account of any fires caused by fireworks.

(4) Any violation of the state fireworks law or of these regulations relating to public display fireworks, with special observations on any irregularities on the part of persons present at the firing site.

(5) The names of pyrotechnic assistants who satisfactorily assisted in all phases of the display, if other than those shown on the license.

Failure to file this report shall constitute grounds for revocation of the operator's current license and/or rejection of his application for his license renewal.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-345, filed 5/24/05, effective 6/24/05. Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-345, filed 3/31/88. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-345, filed 11/2/82.]

PART IX—PROXIMATE DISPLAYS

WAC 212-17-350 Proximate display—Use of proximate before an audience. This section shall provide requirements for the indoor use of pyrotechnics in the performing arts in conjunction with theatrical, musical, or similar productions before a proximate audience, performers, or support personnel. This section shall also apply to any outdoor use of pyrotechnics at distances from the audiences less than those required for public fireworks displays; however, the use of pyrotechnics before a proximate audience shall not be construed as a public display of fireworks as defined in WAC 212-17-295.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-350, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-350, filed 11/2/82.]

WAC 212-17-352 Transportation—By common carrier. No common carrier, as defined in RCW 81.29.010, shall deliver fireworks from an out-of-state shipper to any person or firm within this state without first determining that the person or firm possesses an importer's license, issued by the director of fire protection to receive them, or the shipper has an importer's license, issued by the director of fire protection to ship them into this state.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-352, filed 3/31/88.]

WAC 212-17-355 Proximate display—Proximate permit. (1) No permit shall be granted for the use of articles pyrotechnic or special effects unless at least one state licensed pyrotechnician is provided to direct and control the display. The permit applicant shall provide the following:

(a) Name of the person, group, or organization sponsoring the production.

(b) Date and time of day of the production.

(c) Exact location of the production.

(d) Name and license number of the pyrotechnician in charge of firing the pyrotechnic display.

(e) Qualifications of the pyrotechnic operator.

(f) Evidence of the permittee's insurance carrier or financial responsibility.

(g) Number and types of pyrotechnic devices and materials to be used.

(h) Diagram of the grounds or facilities where the production is to be held. This diagram shall show the point at which the pyrotechnic devices are to be fired, the fallout radius of each pyrotechnic device used in the performance, and the lines behind which the audience shall be restrained.

(i) Point of the on-site assembly of pyrotechnic devices.

(j) Manner and place of storage of the pyrotechnic materials and devices.

(k) Certification that the set, scenery, and rigging materials are inherently flame-retardant or have been treated to achieve flame retardancy.

(l) Certification that all materials worn by performers in the fallout area during use of pyrotechnic effects shall be inherently flame retardant or have been treated to achieve flame retardancy.

(2) All plans shall be submitted as soon as is possible so that the authority having jurisdiction has time to be present and to notify interested parties. In no event shall such advance notice be less than twenty-four hours.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-355, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-355, filed 11/2/82.]

WAC 212-17-360 Proximate display—Pyrotechnic display plans. (1) Before the performance of any production, the permittee shall submit a plan for the use of pyrotechnics to the authority having jurisdiction. The approved plan shall be kept at the site for review by the authority having jurisdiction.

(2) Any changes or additions to the performance must receive approval of the authority having jurisdiction.

(3) The plan for the use of pyrotechnics shall be made in writing or such other form as is approved by the authority having jurisdiction.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-360, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-360, filed 11/2/82.]

WAC 212-17-362 Storage—By common carrier. No common carrier shall store fireworks while in transit within a building without first obtaining a storage permit from the local fire authority.

[Statutory Authority: Chapter 70.77 RCW. 88-08-027 (Order FPS 88-01), § 212-17-362, filed 3/31/88.]

WAC 212-17-365 Proximate display—Pyrotechnic display demonstrations. A walk through and a representative demonstration of the pyrotechnics shall be approved by the authority having jurisdiction before a permit is approved. (The local authority having jurisdiction may waive this requirement based on past history, prior knowledge, and other factors, provided the local authority having jurisdiction

is confident the discharge of pyrotechnics can be conducted safely.)

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-365, filed 5/24/05, effective 6/24/05.]

WAC 212-17-370 Proximate display—Definitions. For the purpose of this section the following definitions are used:

(1) Aerial shell. Usually a cylindrical or spherical cartridge containing pyrotechnic material, a long fuse or electric match wires, and a black powder lift charge.

(2) Airburst. A pyrotechnic device that is suspended in the air to simulate outdoor aerial fireworks shells without producing hazardous debris.

(3) Binary system. A two-component pyrotechnic system.

(4) Black powder. A low explosive consisting of an intimate mixture of potassium or sodium nitrate, charcoal, and sulfur.

(5) Comet. A pellet of pyrotechnic composition that is ignited and propelled from a mortar tube by a charge of black powder.

(6) Concussion effect. A pyrotechnic effect that produces a loud noise and a violent jarring shock for dramatic effect.

(7) Concussion mortar. A device specifically designed and constructed to produce a loud noise and a violent jarring shock for dramatic effect without producing any damage.

(8) Electric match. A device containing a small amount of pyrotechnic material that ignites when a specified electric current flows through the leads. An electric match is used to initiate pyrotechnics. Electric matches are often incorrectly called squibs.

(9) Fallout radius. A line that defines the fallout area of a pyrotechnic device.

(10) Fixed production. Any production performed repeatedly in only one geographic location.

(11) Flare. A pyrotechnic device designed to produce a single source of intense light for a defined period of time.

(12) Flash pot. A device used with flash powder that produces a flash of light and is capable of directing the flash in an upward direction.

(13) Gerb. A cylindrical preload intended to produce a controlled spray of sparks with a reproducible and predictable duration, height, and diameter.

(14) Integral mortar. A preloaded mortar containing pyrotechnic materials and intended for a single firing only.

(15) Lift charge. The composition in a pyrotechnic device that propels the effect into the air when ignited.

(16) Manufacturer. An individual who performs the following:

(a) Prepares any pyrotechnic material; and

(b) Loads or assembles any pyrotechnic device.

(17) Mine. A pyrotechnic device, usually a preload, that projects multiple pellets of pyrotechnic material that produce sparks or flame.

(18) Mortar. A tube or pot-like device used to direct and control the effect of the pyrotechnic material.

(19) Proximate audience. An audience closer to pyrotechnic devices than permitted by WAC 212-17-325.

(20) Pyrotechnic device. Any device containing pyrotechnic materials and capable of producing a special effect as defined in the section.

(21) Pyrotechnic material. (Articles pyrotechnic.) A chemical mixture used in the entertainment industry to produce visible or audible effects by combustion, deflagration, or detonation.

(22) Pyrotechnic operator. (Special effects operator.) An individual who has responsibility for pyrotechnic safety and who controls, initiates, or otherwise creates special effects.

(23) Pyrotechnic special effect. A special effect created through the use of articles pyrotechnic materials and devices. (See also special effects.)

(24) Pyrotechnics. Controlled exothermic chemical reactions that are timed to create the effects of heat, gas, sound, dispersion of aerosols, emission of visible electromagnetic radiation, or a combination of these effects to provide the maximum effect from the least volume.

(25) Rocket. A pyrotechnic device that moves by the ejection of matter produced by the internal combustion of propellants.

(26) Saxon. A pyrotechnic device consisting of a tube that rotates around a pivot point to produce a circular shower of sparks.

(27) Special effect. A visual or audible effect used for entertainment purposes, created exclusively by articles pyrotechnic.

(28) Waterfall, falls, park curtain. An effect of a cascade of sparks usually produced by multiple devices fired simultaneously.

(29) Wheel. A pyrotechnic device that rotates on a central axis consisting of multiple gerbs or rockets attached to a framework.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-370, filed 5/24/05, effective 6/24/05.]

WAC 212-17-375 Proximate display—Transportation of pyrotechnic material. All ingredients, pyrotechnic materials, and pyrotechnic devices shall be transported in accordance with all state and local requirements.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-375, filed 5/24/05, effective 6/24/05.]

WAC 212-17-380 Proximate display—Storage of pyrotechnic materials and WAC devices. All pyrotechnic materials and devices shall be stored in accordance with any state and local regulations. Provisions for lockable storage for pyrotechnics, approved by the authority having jurisdiction, shall be provided.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-380, filed 5/24/05, effective 6/24/05.]

WAC 212-17-385 Proximate display—Separation from heat sources. Pyrotechnic materials and devices shall not be stored within fifty feet of any unprotected source of heat or open flame.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-385, filed 5/24/05, effective 6/24/05.]

(2007 Ed.)

WAC 212-17-390 Proximate display—Identification of pyrotechnic devices or binary systems. All pyrotechnic products or binary systems used shall have been identified or marked by the manufacturer with the following information:

- (1) Name of the pyrotechnic device or binary system;
- (2) Name, address, and phone number of the manufacturer;
- (3) Statement describing the conditions of use and potential hazards;
- (4) Manufacturer's statement regarding whether the pyrotechnic device or binary system is intended for indoor use.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-390, filed 5/24/05, effective 6/24/05.]

WAC 212-17-395 Proximate display—General fire protection. (1) Two or more fire extinguishers of the proper classification and size as approved by the authority having jurisdiction shall be readily accessible while the pyrotechnics are being loaded, prepared for firing, or fired.

(2) Fire detection and life safety systems shall not be permitted to be interrupted during the operation of pyrotechnic effects except portions of fire detection and life safety systems may be permitted to be interrupted during the operation of temporarily installed pyrotechnic effects when all of the following conditions are met:

- (a) Approval of the authority having jurisdiction;
- (b) Approval of the owner or owner's representative;
- (c) An approved fire watch capable of directing the operation of all fire detection and life safety systems installed in the building is present.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-395, filed 5/24/05, effective 6/24/05.]

WAC 212-17-400 Proximate display—Firing prerequisites. (1) All pyrotechnic devices shall be mounted in a secure manner to maintain their proper positions and orientations so that, when they are fired, the pyrotechnic effects described in the plan submitted by the permittee are produced.

(2) Pyrotechnic devices shall be mounted so that no fall-out from the device endangers human lives, results in personal injury, or damages property.

(3) Before firing the pyrotechnic device, the pyrotechnic operator or designated performance security staff shall prevent unauthorized entry into the area where the special effects are to occur.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-400, filed 5/24/05, effective 6/24/05.]

WAC 212-17-405 Proximate display—Firing safeguards. Firing systems shall not be left unattended while connected to loaded pyrotechnic devices.

Pyrotechnic devices shall be fired only when the area where the effect is to occur is in clear view of the pyrotechnic operator, or an assistant who is in direct communication with the operator.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-405, filed 5/24/05, effective 6/24/05.]

WAC 212-17-410 Proximate display—Separation distances from audience. (1) Each pyrotechnic device fired during a performance shall be separated from the audience by at least fifteen feet, but not by less than twice the fallout radius of the device.

(2) Concussion mortars shall be separated from the audience by at least twenty-five feet.

(3) There shall be no glowing or flaming particles within ten feet of the audience.

(4) No smoking is permitted within twenty-five feet of the area where pyrotechnics are being handled or fired.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-410, filed 5/24/05, effective 6/24/05.]

WAC 212-17-415 Proximate display—Performance. (1) The pyrotechnic effect operator shall advise all performers and support personnel that they are exposed to a potentially hazardous situation when performing or otherwise carrying out their responsibilities in the vicinity of a pyrotechnic effect.

(2) Immediately before any performance, the pyrotechnic operator shall make a final check of wiring, position, hookups, and pyrotechnic devices to ensure that they are in proper working order. The pyrotechnic operator also shall verify safety distances.

(3) When pyrotechnics are fired, the quantity of smoke developed shall be controlled so as not to obscure the visibility of exit signs or paths of egress.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-415, filed 5/24/05, effective 6/24/05.]

WAC 212-17-420 Proximate display—After the performance. (1) The pyrotechnic operator shall verify that all pyrotechnic devices have been fired. Any unfired materials or devices shall either be fired or disposed of in accordance with the manufacturer's recommendations.

(2) Life safety and other systems that have been disarmed or disengaged shall be restored to normal operating condition as soon as the likelihood of false alarms from the use of pyrotechnics has passed.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-420, filed 5/24/05, effective 6/24/05.]

PART X—TRANSPORTATION

WAC 212-17-425 Transportation—General. Licenses are authorized to transport the class and quantity of fireworks for which they have a license to possess from the point of acceptance from a licensed source to an approved storage facility or use site. Transportation shall be in accordance with the regulations of the United States Department of Transportation and the laws of the state of Washington governing the transportation of Division 1.3G and 1.4G explosives.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-425, filed 5/24/05, effective 6/24/05.]

WAC 212-17-430 Transportation—By common carrier. No common carrier, as defined in RCW 81.29.010, shall deliver fireworks from an out-of-state shipper to any person or firm within this state without first determining that the person or firm possesses an importer's license, issued by the

director of fire protection to receive them, or the shipper has an importer's license, issued by the director of fire protection to ship them into this state.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-430, filed 5/24/05, effective 6/24/05.]

PART XI—STORAGE

WAC 212-17-435 Storage—General. Storage of fireworks shall be free from any condition which increases or may cause an increase of the hazard or menace of fire or explosion or which may obstruct, delay or hinder, or may become the cause of any obstruction, delay or hindrance, to the prevention or extinguishment of fire.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-435, filed 5/24/05, effective 6/24/05.]

WAC 212-17-440 Storage—Explosive safety. Any person storing fireworks shall have a license for the possession (manufacturer, wholesaler, importer, retailer, display) and, in addition, a permit from the local fire authority for the storage site. Storage shall be in accordance with requirements of the local fire official, who may use the safety practices in the appendix of these rules as guidelines in approving the storage permit.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-440, filed 5/24/05, effective 6/24/05.]

WAC 212-17-445 Storage—By common carrier. No common carrier shall store fireworks while in transit within a building without first obtaining a storage permit from the local fire authority.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-445, filed 5/24/05, effective 6/24/05.]

PART XII—FINES AND PENALTIES

WAC 212-17-450 Fines and penalties. (1) These rules establish the basis and process by which citations and penalties will be determined and issued for violations of chapters 70.77 RCW and 212-17 WAC.

(2) Each violation(s) is classified and penalty(ies) assessed according to violation type and instance.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-450, filed 5/24/05, effective 6/24/05.]

WAC 212-17-455 Definitions. (1) "Citation" means a document issued by the office of the state fire marshal pursuant to chapter 70.77 RCW to issue a civil penalty for a violation of RCW 70.77.480 through 70.77.520. A citation may include, but is not limited to, a description of the violation(s) and a notice of civil penalty assessment.

(2) "Formal hearing" is a hearing before a hearings officer where the laws, rules, and evidence are presented, considered, and a proposed opinion issued.

(3) "Hazard" means a condition which could result in fire loss injury or damage to a person or property.

(4) "Hearings request" means the written request for a formal hearing to contest a civil penalty.

(5) "Instance" means the number of times a person has been cited. These are identified as 1st, 2nd, and 3rd instances.

(6) "Local fire authority" means the local fire official having authority.

(7) "Person" means one or more individuals, legal representatives, partnerships, joint ventures, associations, corporations (whether or not organized for profit), business trusts, or any organized group of persons and includes the state, state agencies, counties, municipal corporations, school districts, and other public corporations.

(8) "Type" means the classification of violation, i.e., least, minimal, moderate, or severe. These are identified as Type I, II, III, or IV.

(9) "Violation types" shall mean:

(a) "Least violation" means a Type I Violation which poses very little hazard or threat;

(b) "Minimal violation" means a Type II Violation which poses a minor hazard or threat;

(c) "Moderate violation" means a Type III Violation which poses a significant hazard or threat;

(d) "Severe violation" means a Type IV Violation which poses a substantial hazard or threat.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-455, filed 5/24/05, effective 6/24/05.]

WAC 212-17-460 General rules. (1) These rules establish civil penalty criteria for Types I, II, III, and IV Violations and the instances for each type of violation.

(2) These rules apply to persons who violate the requirements of chapters 70.77 RCW and/or chapter 212-17 WAC.

(3) Each separate instance of noncompliance with chapters 70.77 RCW and/or 212-17 WAC shall be considered a separate violation.

(4) Each day that a violation continues shall be considered a separate violation.

(5) The distribution, sale, use, manufacture, or possession of any amount of illegal fireworks is prohibited and subject to citation and penalty.

(6) In addition to the issuance of citations and penalties under these rules, the state fire marshal and local fire marshal acting in accordance with chapters 70.77 RCW and/or 212-17 WAC:

(a) May confiscate any amount of illegal fireworks; and

(b) May confiscate other fireworks possessed by persons violating chapters 70.77 RCW and/or 212-17 WAC.

(7) In addition to the issuance of citations, penalties, and the confiscation of fireworks, the state fire marshal may also revoke, suspend, or deny any fireworks license provided for under chapter 70.77 RCW to any person who fails to pay a penalty(ies) assessed under these rules.

(8) The penalty for each violation shall range from \$0 to \$1,000 per day and occurrence.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-460, filed 5/24/05, effective 6/24/05.]

WAC 212-17-465 Violation types and penalty assessments. (1) Penalties shall be assessed according to violation type.

(2) The types of violations are:

(a) Least—Type I;

(b) Minimal—Type II;

(c) Moderate—Type III;

(d) Severe—Type IV.

(2007 Ed.)

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-465, filed 5/24/05, effective 6/24/05.]

WAC 212-17-470 Violation assessment at the local level. (1) Local fire authorities shall have the authority to issue civil penalty citations for violations of chapters 70.77 RCW and/or 212-17 WAC.

(2) A citation may impose a penalty or provide a warning.

(3) The citation shall be forwarded to the office of the state fire marshal within ten days of issuance. Where possible, each citation shall be accompanied by a copy of the issuing authority's written report, inspection sheets, evidence receipt, or any other forms that are completed during the process of issuing citations.

(4) The office of the state fire marshal shall issue a notice of civil penalty based upon the information contained in the citation and any accompanying documentation.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-470, filed 5/24/05, effective 6/24/05.]

WAC 212-17-475 Hearings. (1) Any person may request a hearing regarding the assessment of a civil penalty.

(2) Hearings requests shall be filed with the office of the state fire marshal within fourteen days from the date of the service of civil penalty.

(3) Any person who requests a hearing shall be entitled to a hearing.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-475, filed 5/24/05, effective 6/24/05.]

WAC 212-17-480 Informal conference. (1) The office of the state fire marshal will provide an opportunity for a person to informally discuss a civil penalty that has been assessed against them.

(2) An informal conference may be requested prior to a request for a formal hearing; however, a formal hearing shall be requested within twenty-eight days of the date of service of the notice of civil penalty.

(3) The request for an informal conference may be in any form; and

(a) Shall be addressed to the office of the state fire marshal; and

(b) Shall clearly state the subject to be discussed.

(c) An informal conference concerning civil penalties shall not exceed the fourteen days allowed for filing a formal hearing request.

(d) If the parties agree, an informal conference may be held by telephone.

(e) As the result of an informal conference, the state fire marshal may, for good cause, amend, withdraw, or reduce a civil penalty.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-480, filed 5/24/05, effective 6/24/05.]

WAC 212-17-485 Formal hearing. (1) A person may request a formal hearing at any time before or after an informal conference, as long as the twenty-eight day period for requesting a hearing has not lapsed.

(2) The office of the state fire marshal will arrange for a hearings officer to conduct the formal hearing.

[Title 212 WAC—p. 57]

(3) The office of the state fire marshal will set a date, time, and location for the formal hearing.

(4) The office of the state fire marshal will notify, by letter, the person requesting the hearing (or their designated representative) of the date, time, location and the hearings officer conducting the formal hearing.

(5) The hearings officer will hear the case and render a proposed opinion and order including recommended findings of fact and conclusions of law, according to chapter 34.05 RCW.

(6) The formal hearing shall be conducted as follows:

(a) The hearings officer will act as an impartial third party.

(b) It is not necessary for the person that requested the hearing to be represented by legal council.

(c) Testimony shall be taken under oath.

(d) All evidence of a type commonly relied upon by a reasonably prudent person in the conduct of their serious affairs is admissible.

(e) Hearsay evidence is admissible if it meets statutory standards for being reliable and trustworthy.

(7) The proposed opinion and order shall be reviewed by the state fire marshal and, if accepted, finalized and issued as a final order.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-485, filed 5/24/05, effective 6/24/05.]

WAC 212-17-490 Penalty adjustment. (1) The assessment of adjustment of penalties for amounts other than those set by chapter 70.77 RCW shall be done only by the state fire marshal through a hearings process either formally or informally.

(2) The assessment of penalties for not being in conformance with chapters 70.77 RCW and/or 212-17 WAC may be made only after considering:

(a) The gravity and magnitude of the violation;

(b) The person's previous record;

(c) Such other considerations as the state fire marshal may consider appropriate.

(3) During a formal hearing or informal conference, the office of the state fire marshal may modify or adjust the citation, cited violations, or penalties assessed in order to meet the requirements of these rules and to ensure uniformity and consistency in their application statewide.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-490, filed 5/24/05, effective 6/24/05.]

WAC 212-17-495 Payment of civil penalty. (1) The penalty shall be paid to the office of the state fire marshal immediately after an order assessing a civil penalty becomes final by operation of law or on an appeal.

(2) The attorney general may bring an action in the name of the Washington state patrol, through the director of fire protection, in the superior court of Thurston County or of any county in which the violator may do business to collect any penalty imposed under chapter 70.77 RCW.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-495, filed 5/24/05, effective 6/24/05.]

[Title 212 WAC—p. 58]

WAC 212-17-500 Type I violations. (1) Type I violations are subject to penalties ranging from a warning to seventy-five dollars per day depending upon the instance and in accordance with WAC 212-17-390.

(2) Examples of Type I violations include, but are not limited to:

(a) Failure to post "no smoking" signs at the retail fireworks stand;

(b) Failure to provide required fire extinguishing equipment at the retail fireworks stand;

(c) Failure to maintain a clean, orderly area within twenty feet of the retail sales area;

(d) Failure to keep a copy of the retail fireworks stand license at the retail stand while the stand is open;

(e) Possession of illegal fireworks worth less than fifty dollars.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-500, filed 5/24/05, effective 6/24/05.]

WAC 212-17-505 Type II violations. (1) Type II violations are subject to penalties ranging from a warning to one hundred fifty dollars per day depending upon the instance and in accordance with WAC 212-17-390.

(2) Examples of Type II violations include, but are not limited to:

(a) Failure to have a person eighteen years of age or over inside the retail stand during business hours;

(b) Possession of more than fifty dollars but less than one hundred dollars of illegal fireworks;

(c) Discharge of less than fifty dollars worth of illegal fireworks;

(d) Smoking or the ignition of fireworks within fifty feet of any fireworks stand.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-505, filed 5/24/05, effective 6/24/05.]

WAC 212-17-510 Type III violations. (1) Type III violations are subject to penalties ranging from seventy-five dollars to two hundred fifty dollars per day depending upon instance and in accordance with WAC 212-17-390.

(2) Examples of Type III violations include, but are not limited to:

(a) Possession of one hundred dollars or more of illegal 1.4G fireworks.

(b) Sale of any amount of illegal 1.4G fireworks without the necessary licenses issued by the office of the state fire marshal and/or, where required, a permit from the local authority having jurisdiction.

(c) The purchase of fireworks by a Washington state retail fireworks stand operator from an unlicensed wholesaler.

(d) Manufacturing or altering fireworks without the necessary state license and local permit.

(e) Storage of any amount of 1.3G fireworks without the necessary license issued by the office of the state fire marshal and a permit from the local authority having jurisdiction.

(f) Use of fireworks in a manner that presents a danger to life or property.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-510, filed 5/24/05, effective 6/24/05.]

(2007 Ed.)

WAC 212-17-515 Type IV violations. (1) Type IV violations are subject to penalties ranging from one hundred twenty-five dollars to one thousand dollars per day depending on instance and in accordance with WAC 212-17-390.

(2) Examples of Type IV violations include, but are not limited to:

(a) Possession of fifty dollars or more of 1.3G fireworks without the necessary license issued by the office of the state fire marshal and the required permit from the local authority having jurisdiction;

(b) Conducting a public fireworks display without the necessary license issued by the office of the state fire marshal and the required permit from the local authority having jurisdiction;

(c) Purchase of any amount of 1.3G fireworks without the necessary licenses issued by the office of the state fire marshal and/or, where required, the local authority having jurisdiction;

(d) Conducting a public display using illegal or unauthorized fireworks;

(e) Intentional or indiscriminate use of fireworks which injure someone or cause more than two hundred fifty dollars in property damage;

(f) Wholesale sales of fireworks without a valid Washington state wholesalers license;

(g) Importing, or causing to be imported, fireworks into the state of Washington without a valid Washington state importers license.

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-515, filed 5/24/05, effective 6/24/05.]

WAC 212-17-900 Appendix. This appendix is not a part of this rule but is included to provide guidelines, based on nationally-recognized standards, for use by licensees in establishing safe practices involving the manufacture or storage of fireworks and for use by local fire officials in determining compliance with safety standards for the purpose of issuing permits for fireworks manufacture or storage.

In addition to the definitions in chapter 70.77 RCW and this rule, the following definitions apply to this appendix:

Barricade. A natural or artificial barrier that will effectively screen a magazine, building, railway, or highway from the effects of an explosion in a magazine or building containing explosives. It shall be of such height that a straight line from the top of any sidewall of a building or magazine containing explosives to the cave line of any magazine, or building, or to a point twelve feet above the center of a railway or highway, will pass through such natural or artificial barrier.

Natural barricade. Natural features of the ground, such as hills, or timber of sufficient density that the surrounding exposures that require protection cannot be seen from the magazine or building containing explosives when the trees are bare of leaves.

Artificial barricade. An artificial mound or revetted wall of earth of a minimum thickness of three feet.

Breakaway construction. A general term which applies to the principle of purposely providing a weak wall so that the explosive effects can be directed and minimized. The term "weak wall" as used in this code refers to a weak wall, weak wall and roof, or weak roof.

The term "weak wall" is used in a relative sense as compared to the construction of the entire building. The design strength of a "weak wall" will vary as to the building construction, as well as to the type and quantity of explosive or pyrotechnic materials in the building. The materials used for "weak wall" construction are usually light gauge metal, plywood, hardboard or equivalent lightweight material, and the material is purposely selected to minimize the danger from flying missiles. Method of attachment of the weak wall shall be such as to aid the relief of blast pressure and fireball.

Fireworks plant. Means all lands, and buildings thereon, used for or in connection with the manufacture or processing of fireworks. It includes storage buildings used with or in connection with plant operation.

Highway. Means any public street, public alley or public road.

Inhabited building. Means a building or structure regularly used in whole or part as a place of human habitation. The term "inhabited building" shall also mean any church, school, store, passenger station, airport terminal for passengers, and any other building or structure where people are accustomed to congregate or assemble, but excluding any building or structure occupied in connection with the manufacture, transportation, and storage of explosive materials or fireworks.

Magazine. Means any building or structure, other than a manufacturing building, meeting the requirements specified in chapter 3 of this code.

Manufacture of fireworks. Means the preparation of fireworks mixes and the loading and assembling of all fireworks, except pyrotechnic display items made on-site by qualified personnel for immediate use when such operation is otherwise lawful.

Mixing building. Means any building used primarily for mixing and blending pyrotechnic composition, excluding wet sparkler mixes.

Motor vehicle. Means any self-propelled passenger vehicle, truck, tractor, semitrailer, or truck-full trailer used for the transportation of freight over public highways.

Nonprocess building. Means office buildings, warehouses, and other fireworks plant buildings where no fireworks or explosive compositions are processed or stored.

Person. Means any individual, firm, copartnership, corporation, company, association, joint stock association, and including any trustee, receiver, assignee, or personal representative thereof.

Process building. Means any mixing building, any building in which pyrotechnic or explosive composition is pressed or otherwise prepared for finishing and assembling, or any finishing and assembling building, including a building used for preparation of fireworks for shipment. If a pyrotechnic or explosive composition while in the state of processing is stored in a process building, the building is classified as a process building. See also storage building.

Public conveyance. Means any vehicle carrying passengers for hire.

Pyrotechnic composition. Means a chemical mixture which on burning and without explosion produces visible or brilliant displays or bright lights, or whistles.

Railway. Means any steam, electric, diesel electric or other railroad or railway which carries passengers for hire on

the particular line or branch in the vicinity where explosives or fireworks are stored or where fireworks manufacturing buildings are situated.

Screen type barricade. Means any of several barriers for containing embers and debris from fires and deflagrations in process buildings that could cause fires and explosions in other buildings. Screen type barricades are constructed of metal roofing, one-quarter-inch and one-half-inch mesh screen or equivalent material. A screen type barricade extends from the floor level of the donor building to such height that a straight line from the top of any side wall of the donor building to the cave line of the acceptor building will go through the screen at a point not less than five feet from the top of the screen. The top five feet of the screen are inclined at an angle of between 30 and 45 degrees, toward the donor building.

Squib. Means a device containing a small quantity of ignition compound in contact with a bridge wire.

Storage building. Means any building, structure, or facility in which Division 1.4G, 1.5G or 1.6G fireworks in any state of processing, or finished Division 1.4G, 1.5G, or 1.6G fireworks are stored, but in which no processing or manufacturing is performed.

Warehouse. Means any building or structure used exclusively for the storage of materials, except fireworks or combustible or explosive compositions used to manufacture fireworks.

PART I MANUFACTURING OPERATIONS

1. General

11. All fireworks plants shall comply with the requirements of this section except that those plants that meet all of the conditions of the following paragraphs a, b and c need not comply with Articles 2 and 6:

- a. Making only customized fireworks not for general sale.
- b. Having not more than five pounds of explosive composition, including not more than one-half pound of initiating explosive, in a building at one time.
- c. All explosive and pyrotechnic compositions are removed to an appropriate storage magazine at the end of each work day.

2. Building site security

21. All fireworks plants shall be completely surrounded by a substantial fence having a minimum height of six feet. All buildings, except office buildings in which no processing or storage is permitted, must be located within the fence. All openings in the fence shall be equipped with suitable gates which shall be kept securely locked at all times, except when in actual use; except that the main gate of the plant may be left open during the regular hours of plant operation while in plain view of and under observation by authorized responsible employees or guards. Conspicuous signs indicating "WARNING—NO SMOKING—NO TRESPASSING" shall be posted along the plant fence at intervals not to exceed 500 feet.

22. No person other than authorized employees or representatives of departments of federal, state, or political subdivisions of the state governments having jurisdiction over the

establishment shall be allowed in any fireworks plants, except by special permission secured from the plant office.

3. Separation distances

31. All process buildings shall be separated from inhabited buildings, public highways and passenger railways in accordance with Table 1.

32. The separation distance between process buildings shall be in accordance with Table 2.

33. Separation distances of nonprocess buildings from process buildings and magazines shall be in accordance with Table 2.

34. Separation of magazines containing black powder or salutes classified as Division 1.3G fireworks from inhabited buildings, highways, and other magazines containing black powder or salutes classified as Division 1.3G fireworks shall be in accordance with Table 3.

4. Building construction

41. Process buildings, except buildings in which customers' orders are prepared for shipment, shall embody break-away construction. The exterior of process buildings constructed after this Code is adopted shall be constructed of materials no more combustible than painted wood.

42. No building shall have a basement or be more than one story high. Interior wall surfaces and ceilings of buildings shall be smooth, free from cracks and crevices, noncombustible, and with a minimum of horizontal ledges upon which dust may accumulate. Wall joints and openings for wiring and plumbing shall be sealed to prevent entry of dust. Floors and work surfaces shall not have cracks or crevices in which explosives or pyrotechnic compositions may lodge.

43. Mixing and pressing buildings shall have conductive flooring, properly grounded.

44. The number and location of exits in buildings in which fireworks are being processed shall comply with a, b and c.

a. From every point in every undivided floor area of more than one hundred square feet there shall be at least two exits accessible in different directions. Where building floors are divided into rooms, there shall be at least two ways of escape from every room of more than one hundred square feet; toilet rooms need have only one exit and shall be so located that the points of access thereto are away from or suitably shielded from fireworks processing areas.

b. Exits shall be so located that it will not be necessary to travel more than twenty-five feet from any point to reach the nearest exit. The routes to the exits shall be unobstructed.

c. Exit doors shall open outward, and shall be capable of being pressure-actuated from the inside.

5. Heat, light, electrical equipment

51. No stoves, exposed flames, or electric heaters may be used in any part of a building except in a boiler room, machine shop, office building, pumphouse, or lavatory in which the presence of fireworks, fireworks components, or flammable liquids are prohibited. Heating shall be by means of steam, indirect hot air radiation, hot water, or any other means approved by local authorities. Unit heaters, located inside buildings that at any time contain explosive or pyrotechnic composition, shall be equipped with motors and switches suitable for use in Class II, Division 1 locations.

52. Where artificial lighting is required in fireworks processing buildings it shall be by electricity. Temporary or loose electrical wiring shall not be used. Extension lights are prohibited except that during repair operations approved portable lighting equipment may be used after the area has been cleared of all pyrotechnic or explosive composition and after all dust has been removed by washing down.

53. All wiring in process buildings shall be in rigid metal conduit or be Type MI cable. The wiring, lighting fixtures, and switches shall comply with the requirements for Class II, Division 1 locations in Article 502 of the National Electrical Code, 1981 Edition.

54. Wiring, switches, and fixtures in storage buildings shall comply with the requirements for Class II, Division 2 locations in Article 502 of the National Electrical Code, 1981 Edition.

55. All presses and other mechanical devices shall be properly grounded.

56. A master switch shall be provided at the point where electric current enters the plant, which will, upon being opened, immediately cut off all electric current to the plant, except that to emergency circuits such as a supply to a fire pump or emergency lighting.

6. Maximum building occupancy and quantities of explosive or pyrotechnic compositions permitted

61. The number of occupants in each process building and magazine shall be limited to that number necessary for the proper conduct of those operations.

Note: This requirement is for purposes of minimizing personnel exposure and is distinct from any requirement on maximum building occupancy that may be in the local building code.

62. The maximum number of occupants permitted in each process building and magazine shall be posted in a conspicuous location.

63. No more than 500 pounds of pyrotechnic and explosive composition shall be permitted at one time in any mixing building or any building in which pyrotechnic and explosive compositions are pressed or otherwise prepared for finishing and assembling.

64. No more than 500 pounds of pyrotechnic and explosive composition shall be permitted in a finishing and assembling building at one time.

7. Fire, explosion prevention

71. All buildings shall be kept clean, orderly, and free from accumulation of dust or rubbish. Powder or other explosive or pyrotechnic materials, when spilled, shall be immediately cleaned up and removed from the building.

72. Rags, combustible, pyrotechnic or explosive scrap, and paper shall be kept separate from each other and placed in approved marked containers. All waste and reject hazardous material shall be removed from all buildings daily and removed from the plant at regular intervals and destroyed by submersion in water or by burning in a manner acceptable to local authorities.

73. No smoking or carrying of lighted pipes, cigarettes, cigars, matches, lighters, or open flame, is permitted within the plant fence; except that smoking may be permitted in office buildings or buildings used exclusively as lunchrooms or rest rooms and in which the presence of fireworks or any

explosive composition is prohibited. Authorized smoking locations shall be so marked, contain suitable receptacles for cigarette and cigar butts and pipe residue, and contain at least one serviceable fire extinguisher suitable for use on Class A fires. Persons whose clothing is contaminated with explosives, pyrotechnic, or other dangerous materials to the degree that may endanger the safety of personnel shall not be permitted in smoking locations.

74. Matches, cigarette lighters or other flame-producing devices shall not be brought into any process building or magazine.

75. No employee or other person shall enter or attempt to enter any fireworks plant with liquor or narcotics in his possession, or while under the influence of liquor or narcotics, or partake of intoxicants or narcotics or other dangerous drugs while in a fireworks plant.

76. All persons working at or supervising the operations in fireworks mixing and pressing buildings shall be provided with, and wear, cotton working uniforms. In addition, conductive shoes and cotton socks shall be required for all Division 1.3G fireworks operations and all mixing, pressing, loading, and matching related to Division 1.4G, 1.5G or 1.6G fireworks. Facilities for changing into these uniforms, and safekeeping for the employees' street clothes shall be provided. The uniforms shall be frequently washed, to prevent accumulation of explosive or other pyrotechnic compounds, and shall not be worn outside the fireworks plant. Washing and shower facilities for employees shall be provided. All persons working in or supervising the operations in a process building shall wear protective clothing and eye protection as needed. All persons working in or supervising mixing areas shall wear respirators when the situation dictates their need.

77. Each fireworks plant shall have an employee designated as safety officer. All employees of a fireworks plant, upon commencing employment and at least annually thereafter, shall be given formal instruction by this safety officer, regarding proper methods and procedures in fireworks plants and safety requirements and procedures for handling explosives, pyrotechnics and fireworks.

78. In areas where there is a danger of ignition of materials by sparks, properly maintained and nonferrous safety hand tools shall be used.

79. In no case shall oxidizers such as nitrates, chlorates, or perchlorates be stored in the same building with combustible powdered materials such as charcoal, gums, metals, sulfur, or antimony sulfide.

8. Testing fireworks

81. Testing of fireworks and components of fireworks shall be performed in an area set aside for that purpose and located at a safe distance, considering the nature of the materials being tested, from any plant building or other structure.

9. Fire extinguishers; emergency procedures

91. Fire extinguishers shall be provided in all buildings except those in which pyrotechnic mixtures are exposed. The number and location of extinguishers shall be in accordance with the requirements of the local fire official.

92. Emergency procedures shall be formulated for each plant which will include personnel instruction in any emergency that may be anticipated. All personnel shall be made aware of an emergency warning signal.

93. Emergency procedures shall include instruction in the use of portable fire extinguishers and instructions on the type of fires on which they may and may not be used.

a. The employees shall be told that if a fire is involving or is in danger of spreading to pyrotechnic mixtures, they are to leave the building at once and follow prescribed procedures for alerting other employees.

b. Extinguishers may be used on fires involving ordinary combustible materials, if the fire can be fought and extinguished without exposing pyrotechnic mixtures.

PART II

STORAGE OF DIVISION 1.3G FIREWORKS

1. General provisions

11. Division 1.3G fireworks shall be stored in magazines that meet the requirements of this section.

12. Division 1.3G fireworks shall be stored in magazines unless they are in process of manufacture, being physically handled in the operating process, being packaged or being transported.

13. Magazines required by this section shall be constructed in accordance with Articles 2 and 3.

14. Division 1.3G fireworks that are bullet-sensitive, shall be stored in Type 1, 2, or 3 magazines.

a. Black powder, and Division 1.3G fireworks that are not bullet-sensitive shall be stored in a Type 1, 2, 3, or 4 magazine.

15. Magazines containing black powder shall be separated from inhabited buildings, passenger railways, and public highways, and other magazines in accordance with Table 3.

16. Magazines containing Division 1.3G fireworks shall be separated from inhabited buildings, passenger railways and public highways in accordance with Table 1.

17. Magazines containing Division 1.3G fireworks shall be separated from other magazines and from fireworks plant buildings by barricades or screen-type barricades and the distances from other magazines and process buildings shall be in accordance with Table 2.

2. Construction of magazines—general

21. Magazines shall be constructed in conformity with the provisions of this section or may be of substantially equivalent construction.

22. The ground around magazines shall be graded in such a manner that water will drain away from the magazines.

23. Magazines requiring heat shall be heated by either hot water radiant heating within the magazine building, or air directed into the magazine building over either hot water or low pressure steam (15 psig maximum) coils located outside the magazine building.

24. The magazine heating systems shall meet the following requirements:

1. The radiant heating coils within the building shall be installed in such a manner that the fireworks containers cannot contact the coils and air is free to circulate between the coils and the fireworks.

2. The heating ducts shall be installed in such a manner that the hot air discharge from the duct is not directed against the fireworks or fireworks containers.

3. The heating device used in connection with a magazine shall have controls that prevent the ambient building temperature from exceeding 130°F.

4. The electric fan or pump used in the heating system for a magazine shall be mounted outside and separate from the wall of the magazine and shall be grounded.

5. The electric fan motor and the controls for an electrical heating device used in heating water or steam shall have overloads and disconnects, which comply with the I.C.C. Electrical Code, 2003. All electrical switch gear shall be located a minimum distance of 25 feet from the magazine.

6. The heating source for water or steam shall be separated from the magazine by a distance of not less than 25 feet when electric and 50 feet when fuel-fired. The area between the heating unit and the magazine shall be cleared of all combustible materials.

7. The storage of fireworks and fireworks containers in the magazine shall allow uniform air circulation so temperature uniformity can be maintained throughout the stored materials.

25. When lights are necessary inside the magazine, electric safety flashlights or electric safety lanterns shall be used.

a. The authority having jurisdiction may authorize interior lighting of special design for magazines provided that adequate safety is maintained.

26. When ventilation is required in a magazine, sufficient ventilation shall be provided to protect the stored materials in storage for the specific area in which the magazine is located. Stored materials shall be so placed in the magazine as not to interfere with ventilation and shall be stored so as to prevent contact with masonry walls or with any steel or other ferrous metal by means of a nonsparking lattice or equivalent lining.

3. Construction of magazines

31. Type 1 magazine. A Type 1 magazine shall be a permanent structure such as a building or an igloo that is bullet-resistant, fire-resistant, theft-resistant, weather-resistant, and ventilated.

a. Walls. Examples of wall construction considered suitable for Type 1 magazines are:

1. Hollow masonry block construction with 8-inch blocks having the hollow spaces filled with well-tamped dry sand or a well-tamped cement/sand mixture.

2. Brick or solid cement block construction 8 inches thick.

3. Wood construction covered with 26-gauge metal having 3/4-inch plywood or wood sheathing with a 6-inch space between the exterior and interior sheathing and the space between the sheathing filled with well-tamped dry sand or well-tamped cement/dry sand mixture, with not less than 1-to-8 ratio of cement to sand.

4. Fourteen-gauge metal construction lined with 4 inches of brick, solid cement block or hardwood; or filled with 6 inches of sand.

b. Doors. Examples of door construction considered suitable for Type 1 magazines are:

1. Steel plate 3/8-inches thick lined with four layers of 3/4-inch tongue and groove hardwood flooring.

2. Metal plate not less than 14 gauge lined with four inches of hardwood.

c. Roof. The roof of a Type 1 magazine may be constructed of metal not less than 14 gauge; or 3/4-inch wood sheathing covered by metal not less than 26 gauge or other noncombustible roofing material. All exposed wood on the exterior including the eaves shall be protected by metal not less than 26 gauge.

d. Ceiling. Where the natural terrain around a Type 1 magazine makes it possible to shoot a bullet through the roof at such an angle that a bullet could strike the explosives stored in the magazine, then either the roof or the ceiling shall be of bullet-resistant construction. A bullet-resistant ceiling may be constructed at the eave line, covering the entire area of the magazine except the space necessary for ventilation. Examples of ceiling construction that are considered bullet-resistant are:

1. A tray having a depth of not less than 4 inches of sand.
2. A hardwood ceiling not less than 4 inches thick.

e. Foundation. The foundation may be of masonry, wood, or metal and shall be completely enclosed except for openings to provide cross ventilation. A wooden foundation enclosure shall be covered on the exterior with not less than 26-gauge metal.

f. Floor. The floor may be constructed of wood or other suitable floor materials. Floors constructed of materials that may cause sparks shall be covered with a surface of non-sparking material or the packages of explosives shall be placed on pallets of nonsparking material. Magazines constructed with foundation ventilation shall have at least a 2-inch air space between the side walls and the edge of the floor.

g. Ventilation. Type 1 magazines shall be ventilated to prevent dampness and heating of stored explosives. Ventilating openings shall be screened to prevent the entrance of sparks. Ventilators in side walls shall be offset or shielded. Magazines having foundation and roof ventilators with the air circulating between the side walls and the floor and between the side walls and the ceiling shall have constructed a wooden lattice lining or equivalent to prevent the packages of explosives from being stacked against the side walls and blocking the air circulation.

h. Locks. Each door of a Type 1 magazine shall be equipped with two mortise locks; or with two padlocks fastened in separate hasps and staples; or with a combination of mortise lock and a padlock; or with a mortise lock that requires two keys to open; or a three-point lock, or equivalent type of lock that secures a door to the frame at more than one point. Padlocks shall be steel having at least five tumblers and at least a 7/16-inch-diameter case-hardened shackle. All padlocks shall be protected by steel hoods that are installed in a manner to discourage insertion of bolt cutters. Doors that are secured by a substantial internal bolt do not require additional locking devices. Hinges and hasps shall be securely fastened to the magazine and all locking hardware shall be secured rigidly and directly to the door frame.

32. Type 2 magazine. A Type 2 magazine shall be a portable or mobile structure, such as a box, skid-magazine, trailer or semitrailer, that is fire-resistant, theft-resistant, weather-resistant, and ventilated. It shall also be bullet-resistant except when used for indoor storage.

a. Type 2 outdoor box magazine

1. The sides, bottom, top and covers or doors of Type 2 outdoor box magazines shall be constructed of metal, lined with at least 4 inches of hardwood or equivalent bullet-resistant material. The floor shall be of wood or other suitable nonsparking floor materials. Floors constructed of ferrous metal shall be covered with a surface of nonsparking material. Magazines with top opening shall have a lid that overlaps the sides by at least 1 inch when in closed position.

2. Type 2 outdoor box magazines shall be supported in such a manner as to prevent the floor from having direct contact with the ground. Small magazines shall be securely fastened to a fixed object to prevent theft of the entire magazine.

3. Hinges, hasps, locks, and locking hardware shall conform to the provisions for Type 1 magazines as specified in paragraph 31(h).

b. Type 2 vehicular magazine

1. The sides and roof shall be not less than 20 gauge metal. The walls shall be lined with 4 inches of brick or solid cement block or hardwood, or 6 inches of sand, or other bullet-resistant material. The exposed interior walls may be lined with wood. The roof shall be protected by a bullet-resistant ceiling meeting the construction requirements for bullet-resistant ceilings in paragraph 31(d).

2. The doors shall be of metal, lined with not less than 4 inches of hardwood, or a metal exterior with a hardwood inner door not less than 4 inches in thickness.

3. The floors shall be in accordance with the provisions for Type 1 magazines in paragraph 31(f).

4. The doors shall be locked with at least two padlocks for each door opening, either two padlocks on the exterior door fastened on separate hasps and staples or one padlock on the exterior door and one padlock on the interior door. The padlocks shall be steel having at least five tumblers and at least a 7/16-inch-diameter case-hardened shackle. The padlocks need not be protected by steel hoods. Hinges and hasps shall be securely fastened to the magazine and all locking hardware shall be secured rigidly and directly to the door frame. When unattended, vehicular magazines shall have wheels removed, or be locked with a kingpin locking device, or otherwise be effectively immobilized.

c. Type 2 indoor magazine

1. An indoor Type 2 magazine shall be provided with substantial wheels or casters to facilitate removal from a building in an emergency. The cover for the magazine shall have substantial strap hinges and a means for locking. The magazine shall be kept locked except during the placement or removal of explosive materials with one five-tumbler padlock or equivalent.

2. Type 2 indoor magazines shall be painted red and shall bear lettering in white, on top, at least three inches high, "Explosives—Keep fire away."

3. Type 2 indoor magazines constructed of wood shall have sides, bottoms, and covers or doors constructed of 2-inch hardwood and shall be well braced at corners. The magazines shall be covered with sheet metal of not less than 20 gauge. Nails exposed to the interior of such magazines shall be countersunk.

4. Type 2 indoor magazines constructed of metal shall have sides, bottoms, and covers or doors constructed of 12-gauge metal and shall be lined inside with a nonsparking

material. Edges of metal covers shall overlap sides at least 1 inch.

33. Type 3 magazine. Type 3 magazines shall be portable structures that are bullet-resistant, fire-resistant, theft-resistant, and weather-resistant.

a. Type 3 magazines shall be equipped with a five-tumbler padlock.

b. Type 3 magazines constructed of wood shall have sides, bottoms, and covers or doors constructed of 4-inch hardwood and shall be well braced at corners. They shall be covered with sheet metal of not less than 20 gauge. Nails exposed to the interior of such magazines shall be counter-sunk.

c. Type 3 magazines constructed of metal shall have sides, bottoms, and covers or doors constructed of 12-gauge metal and shall be lined inside with a nonsparking material. Edges of metal covers shall overlap sides at least 1 inch.

34. Type 4 magazine. A Type 4 magazine shall be a permanent, portable, or mobile structure, such as a building igloo, box, semitrailer, or other mobile container that is fire-resistant, theft-resistant, and weather-resistant.

a. Type 4 outdoor magazine

1. A Type 4 outdoor magazine shall be constructed of masonry, wood covered with metal, fabricated metal or a combination of these materials. The doors shall be metal or wood covered with metal. Permanent magazines shall be constructed in accordance with those provisions for Type 1 magazines pertaining to: Foundations (paragraph 31(e)); ventilation (paragraph 31(g)); and locks, hinges, hasps and locking hardware (paragraph 31(h)). Vehicular Type 4 magazines shall be in accordance with the provisions for Type 2 vehicular magazines for locks, hinges, hasps and locking hardware (paragraph 32(b)4) and shall be immobilized when unattended (paragraph 32(b)2).

b. Type 4 indoor magazine

1. A Type 4 indoor magazine shall be in accordance with the provisions of a Type 2 indoor magazine (paragraph 32(d)).

4. Magazine operations

41. Storage within magazines

a. Magazines shall be in the charge of a competent person at all times who shall be at least 21 years of age, and who shall be held responsible for the enforcement of all safety precautions. The competent person shall keep an up-to-date inventory of the contents of magazines.

b. All magazines containing Division 1.3G fireworks or black powder shall be opened and inspected at intervals of not greater than three days to determine whether there has been an unauthorized entry or attempted entry into the magazines; or to determine whether there has been unauthorized removal of the magazines or the contents of the magazines.

c. Magazine doors shall be kept locked, except during the time of placement and removal of stocks or during inspection.

d. Safety rules covering the operations of magazines shall be posted on the interior of the magazine door.

e. Corresponding grades and brands shall be stored together in such a manner that brands and grade marks show. All stocks shall be stored so as to be easily counted and checked.

f. Containers shall be piled in a stable manner.

g. Containers of Division 1.3G fireworks shall be laid flat with top side up.

h. Black powder in shipping containers, when stored in magazines with other explosives, shall be segregated. Black powder stored in kegs shall be stored on ends, bungs down, or on side, seams down.

i. Open containers shall be securely closed before being returned to a magazine. Only fiberboard containers may be opened in the magazine. No container without a closed lid may be stored in the magazine.

j. Wooden packages of Division 1.3G fireworks or black powder shall not be unpacked or repacked in a magazine nor within 50 feet of a magazine or in close proximity to other explosive materials.

k. Tools used for opening containers of Division 1.3G fireworks or black powder shall be constructed of nonsparking material, except that metal slitters may be used for opening fiberboard containers. A wood wedge and a fiber, rubber or wood mallet shall be used for opening or closing wood containers of explosives.

l. Magazines shall be used exclusively for the storage of Division 1.3G fireworks and black powder. Metal tools other than nonferrous transfer conveyors, shall not be stored in any magazine containing Division 1.3G fireworks or black powder. Ferrous metal conveyor stands may be stored in the magazine when the stands are protected by a coat of paint.

m. Magazine floors shall be regularly swept, kept clean, dry, free of grit, paper, empty used packages and rubbish. Brooms and other cleaning utensils shall not have any spark-producing metal parts. Sweepings from floors of magazines shall be properly disposed of, in accordance with the instructions of the manufacturer.

n. When magazines need interior repairs, all fireworks and black powder shall be removed therefrom and the floors cleaned.

o. In making exterior magazine repairs, when there is a possibility of causing sparks or fire, the fireworks and black powder shall be removed from the magazine.

p. Fireworks and black powder removed from a magazine under repair shall either be placed in another magazine or placed a safe distance from the magazine, where they shall be properly guarded and protected until repairs have been completed. Upon completion of repairs, the fireworks and black powder shall be promptly returned to the magazine.

42. Miscellaneous safety precautions

a. Smoking, matches, open flames, spark-producing devices and firearms (except firearms carried by authorized guards) shall not be permitted inside of or within 50 feet of magazines.

b. The land surrounding magazines shall be kept clear of brush, dried grass, leaves and similar combustibles for a distance of at least 25 feet.

c. Combustible materials shall not be stored within 50 feet of magazines.

d. Property upon which magazines are located shall be posted with signs reading "Explosives—Keep off." Such signs shall be located so as to minimize the possibility of a bullet's traveling in the direction of the magazine if anyone shoots at the sign.

PART III
STORAGE OF DIVISION 1.4G FIREWORKS

1. General provisions

11. Division 1.4G fireworks shall be kept in storage buildings that meet the requirements of this section.

12. Division 1.4G fireworks shall be stored in storage buildings unless they are in process of manufacture, being physically handled in the operating process, being used, packaged, or being transported.

13. Storage buildings required by this section shall be constructed in accordance with Article 2.

14. Storage buildings containing Division 1.4G fireworks shall be separated from inhabited buildings, passenger railways and public highways, in accordance with Table 1.

15. Storage buildings containing Division 1.4G fireworks shall be separated from other storage buildings, magazines and fireworks plant buildings in accordance with Table 2.

2. Construction of storage buildings

21. Storage buildings for Division 1.4G fireworks may be a building, igloo, box, trailer, semi-trailer or other mobile facility. They shall be constructed to resist fire from an outside source and to be weather-resistant and theft-resistant.

22. Storage buildings for Division 1.4G fireworks shall be vented, or in the alternative, shall be constructed in such a manner that venting will occur by yielding of weaker parts of the structure under pressure generated by burning fireworks.

23. All storage buildings shall be equipped with locking means for all openings.

24. All doors shall open outward and all exits must be clearly marked. Aisles and exit doors shall be kept free of any obstructions.

25. Only dust-ignition proof type electrical fixtures shall be used and wiring shall comply with Section 502-4(b) of the National Electrical Code. No wall receptacles are permitted. All light fixtures must have guards.

26. An outside master electrical switch shall be provided at each storage building where electricity is used.

3. Storage building operations

31. Storage.

a. Storage buildings shall be in the charge of a competent person at all times who shall be at least 21 years of age, and who shall be held responsible for the enforcement of all safety precautions.

b. Doors shall be kept locked, except during hours of operation.

c. Safety rules covering the operations of storage buildings shall be posted.

d. Containers shall be piled in a stable manner.

e. Division 1.4G fireworks shall be stored in their original packaging and in unopened cases or cartons so as to take advantage of the insulation provided by such packaging; provided, however, unpackaged fireworks which have been returned by retailers may be temporarily retained in bins for repackaging.

f. Tools used for opening containers of Division 1.4G fireworks shall be constructed of nonsparking material, except that metal slitters may be used for opening fiberboard containers.

g. Storage buildings shall be regularly swept, kept clean, dry, free of grit, paper, empty used packages and rubbish. Brooms and other cleaning utensils shall not have any spark-producing metal parts. Sweepings shall be properly disposed of.

h. When storage buildings need interior repairs, all fireworks shall be removed therefrom and the interior cleaned.

i. In making exterior storage building repairs, when there is a possibility of causing sparks of fire, the fireworks shall be removed from the storage building.

j. Fireworks removed from a storage building under repair shall either be placed in another storage building or placed a safe distance from the storage building, where they shall be properly guarded and protected until repairs have been completed. Upon completion of repairs, the fireworks shall be promptly returned to the storage building.

32. Miscellaneous safety precautions

a. Smoking, matches, open flames, spark-producing devices and firearms (except firearms carried by authorized guards) shall not be permitted inside of or within 25 feet of storage buildings.

b. The land surrounding storage buildings shall be kept clear of brush, dried grass, leaves and similar combustibles for a distance of at least 25 feet, unless equivalent protection is provided.

c. Smoking shall not be permitted in storage buildings or within 25 feet of the storage building. There shall be conspicuously posted signs with the words "FIREWORKS—NO SMOKING" in letters not less than four inches high.

PART IV
QUANTITY-DISTANCE SEPARATION TABLES

Table 1. Minimum Separation Distances of Fireworks Processing Buildings, Fireworks Magazines, and Fireworks Storage Buildings from Inhabited Buildings, Passenger Railways, and Public Highways.¹

Net Weight of Fireworks ²	Distance from Passenger Railways and Public Highways ^{3,4,5}		Distance from Inhabited Buildings ^{3,4,5}	
	Division 1.4G Fireworks		Division 1.4G Fireworks	
	Pounds	Feet	Pounds	Feet
100	25	200	50	200
200	30	200	60	200
400	35	200	70	200
600	40	200	80	208
800	45	200	90	252
1,000	50	200	100	292
2,000	58	230	115	459
3,000	62	296	124	592
4,000	65	352	130	704
5,000	68	400	135	800
6,000	70	441	139	882
8,000	73	509	140	1,018
10,000	75	565	150	1,129
15,000	80	668	159	1,335
20,000	83	745	165	1,490
30,000	87	863	174	1,725
40,000	90	953	180	1,906
50,000	93	1,030	185	2,060
60,000	95	1,095	189	2,190
80,000	98	1,205	195	2,410
100,000	100	1,300	200	2,600
150,000	105	1,488	209	2,975

Net Weight of Fireworks ²	Distance from Passenger Railways and Public Highways ^{3,4,5}		Distance from Inhabited Buildings ^{3,4,5}	
	Division 1.4G Fireworks	Division 1.3G Fireworks ⁵	Division 1.4G Fireworks	Division 1.3G Fireworks ⁵
Pounds	Feet	Feet	Feet	Feet
200,000	108	1,638	215	3,275
250,000	110	1,765	220	3,530

- Note 1: This table does not apply to separation distances at fireworks manufacturing buildings, and magazines for storage of Division 1.4G fireworks and storage buildings for Division 1.4G fireworks. Those separation distances are given in Table 2.
- Note 2: Net weight is the weight of all pyrotechnic and explosive composition and fuse only.
- Note 3: See definitions of "passenger railways," "public highways" and "inhabited buildings."
- Note 4: Division 1.3G fireworks processing buildings and Division 1.3G fireworks magazines, including buildings located on the property of a fireworks plant shall be separated from passenger railways, public highways, and inhabited buildings by a minimum distance of 200 feet except that the separation from hospitals, schools and bulk storages of flammable liquids or flammable gases shall be by a minimum distance of 500 feet.
- Note 5: The separation distances shall apply to all Division 1.3G fireworks except salutes. The separation distances in Table 3 shall apply for salutes. When salutes and Division 1.3G fireworks are stored in the same magazine, the net weight of salute is applied to Table 3 and the net weight of Division 1.3G fireworks, including the net weight of salutes, is applied to Table 1. Whichever distance is the greater shall determine the separation distances of the magazine.
- Note 6: All distances in Table 1 are to be applied with or without barricades or screen-type barricades.

Table 2.
Minimum Separation Distances at
Fireworks Manufacturing Plants

Net Weight Fireworks ¹	Distance of Magazines and Storage Buildings from Process Buildings and Nonprocess Buildings ^{2,5}		Distance Between Process Buildings and Between Process and Nonprocess Buildings ²	
	Division 1.4G Fireworks ³	Division 1.3G Fireworks ⁴	Division 1.4G Fireworks ³	Division 1.3G Fireworks ⁴
Pounds	Feet	Feet	Feet	Feet
100	30	30	37	57
200	30	35	37	69
400	30	44	37	85
600	30	51	37	97
800	30	56	37	105
1,000	30	60	37	112
2,000	30	76	37	172
3,000	35	87	48	222
4,000	38	95	60	264
5,000	42	103	67	300
6,000	45	109	72	331
8,000	50	120	78	382
10,000	54	129	82	423

- Note 1: Net weight is the weight of all pyrotechnic and explosive compositions and fuse only.
- Note 2: For the purposes of applying the separation distances in Table 2 a process building includes a mixing building, any building in which pyrotechnic or explosive compositions is pressed or otherwise prepared for finishing and assembling, and any finishing and assembling building. A nonprocess building means office buildings, warehouses, and other fireworks plant buildings where no fireworks or explosive compositions are processed or stored.
- Note 3: Distances apply with or without barricades or screen-type barricades.
- Note 4: Distances apply only with barricades or screen-type barricades.
- Note 5: Distances include those between magazines, between storage buildings, between magazines and storage buildings, between magazines or storage buildings from process buildings and non-process buildings.

Table 3. Minimum Separation Distances of Magazines for Storage of Black Powder or
Division 1.3G Salutes from Inhabited Buildings, Highways, and
Other Magazines for Storage of Black Powder or Division 1.3G Salutes.
American Table of Distances for Storage of Explosives as Revised and
Approved by The Institute of Makers of Explosives—November 5, 1971. Distances in feet.

Explosives		Inhabited Buildings		Public Highways Class A to D		Passenger Railways— Public Highways with Traffic Volume of more than 3,000 Vehicles/Day		Separation of Magazines	
Pounds Over	Pounds Not Over	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded
2	5	70	140	30	60	51	102	6	12
5	10	90	180	35	70	64	128	8	16
10	20	110	220	45	90	81	162	10	20
20	30	125	250	50	100	93	186	11	22
30	40	140	280	55	110	103	205	12	24
40	50	150	300	60	120	110	220	14	28
50	75	170	340	70	140	127	254	15	30
75	100	190	380	75	150	139	278	16	32
100	125	200	400	80	160	150	300	18	36
125	150	215	430	85	170	159	318	19	38
150	200	235	470	95	190	175	350	21	42
200	250	255	510	105	210	189	378	23	46
250	300	270	540	110	220	201	402	24	48
300	400	295	590	120	240	221	442	27	54
400	500	320	640	130	260	238	476	29	58

American Table of Distances for Storage of Explosives as Revised and
Approved by The Institute of Makers of Explosives—November 5, 1971. Distances in feet.

Explosives		Inhabited Buildings		Public Highways Class A to D		Passenger Railways— Public Highways with Traffic Volume of more than 3,000 Vehicles/Day		Separation of Magazines	
Pounds Over	Pounds Not Over	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded
500	600	340	680	135	270	253	506	31	62
600	700	355	710	145	290	266	532	32	64
700	800	375	750	150	300	278	556	33	66
800	900	390	780	155	310	289	578	35	70
900	1,000	400	800	160	320	300	600	36	72
1,000	1,200	425	850	165	330	318	636	39	78
1,200	1,400	450	900	170	340	336	672	41	82
1,400	1,600	470	940	175	350	351	702	43	86
1,600	1,800	490	980	180	360	366	732	44	88
1,800	2,000	505	1,010	185	370	378	756	45	90
2,000	2,500	545	1,090	190	380	408	816	49	98
2,500	3,000	580	1,160	195	390	432	864	52	104
3,000	4,000	635	1,270	210	420	474	948	58	116
4,000	5,000	685	1,370	225	450	513	1,026	61	122
5,000	6,000	730	1,460	235	470	546	1,092	65	130
6,000	7,000	770	1,540	245	490	573	1,146	68	136
7,000	8,000	800	1,600	250	500	600	1,200	72	144
8,000	9,000	835	1,670	255	510	624	1,248	75	150
9,000	10,000	865	1,730	260	520	645	1,290	78	155
10,000	12,000	875	1,750	270	540	687	1,374	82	164
12,000	14,000	885	1,770	275	550	723	1,446	87	174
14,000	16,000	900	1,800	280	560	756	1,512	90	180
16,000	18,000	940	1,880	285	570	786	1,572	94	188
18,000	20,000	975	1,950	290	580	813	1,626	98	196
20,000	25,000	1,055	2,000	315	630	876	1,752	105	210
25,000	30,000	1,130	2,000	340	680	933	1,866	112	224
30,000	35,000	1,205	2,000	360	720	981	1,962	119	238
35,000	40,000	1,275	2,000	380	760	1,026	2,000	124	248
40,000	45,000	1,340	2,000	400	800	1,068	2,000	129	258
45,000	50,000	1,400	2,000	420	840	1,104	2,000	135	270
50,000	55,000	1,460	2,000	440	880	1,140	2,000	140	280
55,000	60,000	1,515	2,000	455	910	1,173	2,000	145	290
60,000	65,000	1,565	2,000	470	940	1,206	2,000	150	300
65,000	70,000	1,610	2,000	485	970	1,236	2,000	155	310
70,000	75,000	1,655	2,000	500	1,000	1,263	2,000	160	320
75,000	80,000	1,695	2,000	510	1,020	1,293	2,000	165	330
80,000	85,000	1,730	2,000	520	1,040	1,317	2,000	170	340
85,000	90,000	1,760	2,000	530	1,050	1,344	2,000	175	350
90,000	95,000	1,790	2,000	540	1,080	1,368	2,000	180	360
95,000	100,000	1,815	2,000	545	1,090	1,392	2,000	185	370
100,000	110,000	1,835	2,000	550	1,100	1,437	2,000	195	390
110,000	120,000	1,855	2,000	555	1,110	1,479	2,000	205	410
120,000	130,000	1,875	2,000	560	1,120	1,521	2,000	215	430
130,000	140,000	1,890	2,000	565	1,130	1,557	2,000	225	450
140,000	150,000	1,900	2,000	570	1,140	1,593	2,000	235	470
150,000	160,000	1,935	2,000	580	1,160	1,629	2,000	245	490
160,000	170,000	1,965	2,000	590	1,180	1,662	2,000	255	510
170,000	180,000	1,990	2,000	600	1,200	1,695	2,000	265	530
180,000	190,000	2,010	2,010	605	1,210	1,725	2,000	275	550
190,000	200,000	2,030	2,030	610	1,220	1,755	2,000	285	570
200,000	210,000	2,055	2,055	620	1,240	1,782	2,000	295	590
210,000	230,000	2,100	2,100	635	1,270	1,836	2,000	315	630

American Table of Distances for Storage of Explosives as Revised and
Approved by The Institute of Makers of Explosives—November 5, 1971. Distances in feet.

Explosives		Inhabited Buildings		Public Highways Class A to D		Passenger Railways— Public Highways with Traffic Volume of more than 3,000 Vehicles/Day		Separation of Magazines	
Pounds Over	Pounds Not Over	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded
230,000	250,000	2,155	2,155	650	1,300	1,890	2,000	335	670
250,000	275,000	2,215	2,215	670	1,340	1,950	2,000	360	720
275,000	300,000	2,275	2,275	690	1,380	2,000	2,000	385	770

[Statutory Authority: Chapters 43.43 and 70.77 RCW. 05-12-033, § 212-17-900, filed 5/24/05, effective 6/24/05. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. 82-22-068 (Order FM 82-10), § 212-17-900, filed 11/2/82.]

Chapter 212-44 WAC

CHILD BIRTH CENTERS—STANDARDS FOR FIRE PROTECTION

WAC

212-44-001	Purpose.
212-44-005	Definitions.
212-44-010	Applicability.
212-44-015	Compliance.
212-44-020	Inspection.
212-44-025	Approval.
212-44-030	Right of appeal.
212-44-035	Local codes.
212-44-040	Standards.
212-44-045	Construction requirements.
212-44-050	Modernization or renovation.
212-44-055	Additions.
212-44-065	Design, operation.
212-44-067	Exiting.
212-44-069	Vertical openings.
212-44-072	Fire extinguishers.
212-44-073	Lighting.
212-44-077	Protection from hazards.
212-44-080	Fire alarm.
212-44-090	Fire and evacuation plan.
212-44-100	Equipment maintenance.
212-44-105	Severability.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

212-44-060	Mixed occupancies. [Order FM-77-3, § 212-44-060, filed 12/8/77.] Repealed by 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-070	Compartmentation. [Order FM-77-3, § 212-44-070, filed 12/8/77.] Repealed by 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-075	Smoke detection. [Order FM-77-3, § 212-44-075, filed 12/8/77.] Repealed by 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-085	Sprinkler protection. [Order FM-77-3, § 212-44-085, filed 12/8/77.] Repealed by 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-095	Fire drills. [Order FM-77-3, § 212-44-095, filed 12/8/77.] Repealed by 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.

WAC 212-44-001 Purpose. The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 18.46.110, with respect to all facilities to be licensed by the department of social and health services and maintained and operated to provide birth services.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-001, filed 10/20/80; Order FM-77-3, § 212-44-001, filed 12/8/77.]

WAC 212-44-005 Definitions. The following definitions shall apply to this regulation:

(1) "Maternity home" means any home, place, hospital or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: Provided, however, That this regulation shall not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

(2) "Licensing agency" means the Washington state department of social and health services.

(3) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference by the State Building Code Act.

(4) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(5) "Fire chief" means the chief of the fire department providing fire protection services to the child birth centers.

(6) "State Building Code Act" means chapter 19.27 RCW, effective January 1, 1975, which establishes statewide building and fire prevention codes and mandates enforcement by each city, town and county.

(7) "Ambulatory" means physically and mentally capable of walking a normal path to safety, including the ascent and descent of stairs.

(8) "Birth center" or "child birth center" means a type of maternity home which is a house, building, or equivalent, organized to provide facilities and staff to support a birth service: Provided, That the birth service includes or is limited to low-risk maternal clients during the intrapartum period.

(9) "Birthing room" means a room designed, equipped and arranged to provide for the care of a woman and newborn and to accommodate her support person(s) during the process of vaginal birth (the three stages of labor and recovery of a woman and newborn).

(10) "Birth service" means the prenatal, intrapartum, and postpartum care provided for individuals with uncomplicated pregnancy, labor, and vaginal birth, to include the newborn care during the recovery period.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-005, filed 10/20/80; Order FM-77-3, § 212-44-005, filed 12/8/77.]

WAC 212-44-010 Applicability. This regulation applies to all facilities licensed or subject to licensure as child birth centers by the department of social and health services.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-010, filed 10/20/80; Order FM-77-3, § 212-44-010, filed 12/8/77.]

WAC 212-44-015 Compliance. All facilities licensed as child birth centers shall comply with the provisions of this regulation.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-015, filed 10/20/80; Order FM-77-3, § 212-44-015, filed 12/8/77.]

WAC 212-44-020 Inspection. The licensing agency, upon receipt of an application for a license or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance.

[Order FM-77-3, § 212-44-020, filed 12/8/77.]

WAC 212-44-025 Approval. Upon the completion of the inspection, if the facility is in reasonable compliance with the applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency.

[Order FM-77-3, § 212-44-025, filed 12/8/77.]

WAC 212-44-030 Right of appeal. A facility aggrieved by the corrective orders of the state fire marshal or his authorized representative may appeal to the state fire marshal within five days of the order. If the state fire marshal confirms the order, it shall remain in force.

[Order FM-77-3, § 212-44-030, filed 12/8/77.]

WAC 212-44-035 Local codes. Approvals are issued or denied on the basis of the applicant's compliance with the state fire marshal's minimum fire and life safety standards. The enforcement of local fire and building codes is the responsibility of the respective fire and building officials.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-035, filed 10/20/80; Order FM-77-3, § 212-44-035, filed 12/8/77.]

WAC 212-44-040 Standards. The following standards shall be applicable to all child birth centers built or licensed after the effective date of this regulation.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-040, filed 10/20/80; Order FM-77-3, § 212-44-040, filed 12/8/77.]

WAC 212-44-045 Construction requirements. (1) New construction or major remodeling shall comply with the Group B, Division 2 requirements of the 1976 Uniform

(2007 Ed.)

Building Code. This classification is advisory, but not binding on local building officials charged with the administration and enforcement of the State Building Code Act.

(2) New and existing buildings not over two stories in height, to be occupied as a child birth center, may be of any recognized construction type: Provided, That the building has been maintained to the extent that the fire and life safety features have not been reduced.

(3) Buildings three stories in height shall be of at least one hour fire-resistive construction.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-045, filed 10/20/80; Order FM-77-3, § 212-44-045, filed 12/8/77.]

WAC 212-44-050 Modernization or renovation. No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level of new construction, as required elsewhere in this regulation. Alterations or installations of new building services equipment shall be accomplished as near as possible in conformance with the requirements for new construction.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-050, filed 10/20/80; Order FM-77-3, § 212-44-050, filed 12/8/77.]

WAC 212-44-055 Additions. Any addition shall be separated from any existing nonconforming structure as required in Table 5B of the Uniform Building Code.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-055, filed 10/20/80; Order FM-77-3, § 212-44-055, filed 12/8/77.]

WAC 212-44-065 Design, operation. All child birth centers shall be so designed, constructed, maintained and operated as to minimize the possibility of a fire emergency endangering the residents or patients. The protection of residents or patients from fire shall be provided by appropriate arrangement of facilities, adequate staffing and careful development of operating and maintenance procedures composed of the following: (1) Proper design, construction and separation; (2) provision for detection, alarm and evacuation; and (3) fire prevention and the planning, training and drilling in programs for the notification of fire and the safe evacuation of residents or patients from the building or affected fire area.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-065, filed 10/20/80; Order FM-77-3, § 212-44-065, filed 12/8/77.]

WAC 212-44-067 Exiting. (1) Not less than two exits shall be accessible from every part of each floor being used for birth services or uses incidental thereto, including floor levels below the street floor.

(2) Exits shall be remote from each other and shall be arranged to minimize the possibility that both may be blocked by any emergency.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-067, filed 10/20/80.]

WAC 212-44-069 Vertical openings. Every stairway, elevator shaft, light and ventilation shaft, chute, and other opening between stories shall be enclosed or protected to prevent the spread of fire or smoke from one floor to another.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-069, filed 10/20/80.]

WAC 212-44-072 Fire extinguishers. At least one approved fire extinguisher suitable for use on fires in ordinary combustibles shall be provided on each floor level. Additional fire extinguishers may also be required due to area, travel distance or special hazards.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-072, filed 10/20/80.]

WAC 212-44-073 Lighting. (1) Illumination of the means of egress shall be continuous during the time that conditions of occupancy require that the means of egress be available for use.

(2) Automatic emergency lighting shall be provided and so arranged as to provide the required illumination automatically in the event of any interruption of normal lighting, such as the failure of public utility or other outside electrical power supply, opening of a circuit breaker or fuse, or any manual act(s) including accidental opening of a switch controlling normal lighting facilities.

(3) Electric battery-operated emergency lights shall use only reliable types of storage batteries, provided with suitable facilities for maintenance in properly charged condition. Electric storage batteries used in such lights or units shall be approved for their intended use and shall comply with the National Electrical Code, NFPA 70.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-073, filed 10/20/80.]

WAC 212-44-077 Protection from hazards. Any area used for general storage, and boiler or furnace rooms shall be separated from other parts of the building by construction having a fire-resistance rating conforming to the general construction requirements of the building type.

Central heating plants and other fuel-burning appliances shall be properly maintained and cleaned at frequent intervals. The surrounding area shall be kept free of rubbish and combustible storage.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-077, filed 10/20/80.]

WAC 212-44-080 Fire alarm. Every child birth center shall have an electrically supervised manual fire alarm system. Operation of any fire alarm activating device shall automatically, without delay, accomplish general alarm indication and sound an audible alarm throughout the building or affected portion thereof.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-080, filed 10/20/80; Order FM-77-3, § 212-44-080, filed 12/8/77.]

WAC 212-44-090 Fire and evacuation plan. The administration of every child birth center shall have in effect and available to all supervisory personnel written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building when necessary. All employees shall be instructed and kept informed respecting their duties under the plan.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-090, filed 10/20/80; Order FM-77-3, § 212-44-090, filed 12/8/77.]

WAC 212-44-100 Equipment maintenance. Every required automatic sprinkler system, fire detection and alarm

system, exit lighting, fire door and other item of equipment required by this regulation or the applicable building and/or fire code shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturer's recommendation and/or at sufficient intervals to assure reliability. Records of all tests and inspections shall be maintained for review. Tests and inspections shall be under the supervision of a responsible person.

[Order FM-77-3, § 212-44-100, filed 12/8/77.]

WAC 212-44-105 Severability. If any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected.

[Statutory Authority: RCW 18.46.110. 80-15-077 (Order FM 80-1), § 212-44-105, filed 10/20/80; Order FM-77-3, § 212-44-105, filed 12/8/77.]

Chapter 212-50 WAC

IDENTIFICATION FOR ALTERNATIVE FUEL SOURCE MOTOR VEHICLES

WAC

212-50-010	Administration, authority.
212-50-020	Application and scope.
212-50-030	Definitions.
212-50-040	Placard issuance.
212-50-050	Placard design and size.
212-50-060	Placard designations.
212-50-070	Placement on vehicle.
212-50-080	Severability.

WAC 212-50-010 Administration, authority. These rules are adopted pursuant to chapter 145, Laws of 1984 and RCW 46.37.467 to provide for an identification placard to be issued for vehicles using an alternative fuel source.

[Statutory Authority: RCW 46.37.467(3). 84-21-109 (Order FM 84-04), § 212-50-010, filed 10/23/84.]

WAC 212-50-020 Application and scope. The provisions of these rules shall apply to every automobile, including buses, truck, motorcycle, motor home or off-road vehicle that is fueled by an alternative fuel source.

[Statutory Authority: RCW 46.37.467(3). 84-21-109 (Order FM 84-04), § 212-50-020, filed 10/23/84.]

WAC 212-50-030 Definitions. (1) "Alternative fuel source," as used in this chapter, includes: Propane, compressed natural gas, liquid petroleum gas, alcohol, or any chemically similar gas, but does not include gasoline or diesel fuel.

(2) "National Fire Protection Association" means the nationally recognized organization dedicated to fire safety and development of standards for fire protection and safeguarding of hazards, whose headquarters are located at Batterymarch Park, Quincy, MA 02269.

[Statutory Authority: RCW 46.37.467(3). 84-21-109 (Order FM 84-04), § 212-50-030, filed 10/23/84.]

WAC 212-50-040 Placard issuance. Until such time as the National Fire Protection Association issues a specific placard for a specific alternative fuel source, the placard

designed by the state fire marshal, as set out in these rules, shall be required.

[Statutory Authority: RCW 46.37.467(3). 84-21-109 (Order FM 84-04), § 212-50-040, filed 10/23/84.]

WAC 212-50-050 Placard design and size. The placard shall be a weather resistant, diamond shaped label, 4-3/4 inches long and 3-1/4 inches wide. Lettering shall be a minimum of one inch in height, and centered horizontally across the placard. The label shall be of contrasting reflective luminous material and have a 1/8 inch border.

[Statutory Authority: RCW 46.37.467(3). 84-21-109 (Order FM 84-04), § 212-50-050, filed 10/23/84.]

WAC 212-50-060 Placard designations. The placard for propane or liquified petroleum gas shall include the lettering "**propane**." Lettering and border shall be silver on a black background. The placard for compressed natural gas shall include the lettering "CNG" across the center. The border and lettering shall be silver on a blue background.

[Statutory Authority: RCW 46.37.467(3). 84-21-109 (Order FM 84-04), § 212-50-060, filed 10/23/84.]

WAC 212-50-070 Placement on vehicle. The label shall be placed on an exterior vertical or near-vertical surface on the lower right rear of the vehicle (on the trunk lid of a vehicle so equipped, but not on the bumper of any vehicle) inboard from any other markings. The label shall be provided with a good quality self-adhering adhesive.

[Statutory Authority: RCW 46.37.467(3). 84-21-109 (Order FM 84-04), § 212-50-070, filed 10/23/84.]

WAC 212-50-080 Severability. If any provision of these rules or its application to any person is held invalid, the remainder of the rules or the application of the provision to other persons or circumstances is not affected.

[Statutory Authority: RCW 46.37.467(3). 84-21-109 (Order FM 84-04), § 212-50-080, filed 10/23/84.]

Chapter 212-51 WAC

STANDARDS FOR ABOVE-GROUND USED OIL TANKS

WAC

212-51-001	Purpose.
212-51-005	Definitions.
212-51-010	Applicability.
212-51-015	Application.
212-51-020	Alternate materials and methods.
212-51-025	Minimum design standards.
212-51-030	Location.
212-51-035	Environmental impact of placement of above-ground used oil tanks.
212-51-040	Portable fire extinguishers.
212-51-045	Signs.
212-51-050	Severability.

WAC 212-51-001 Purpose. The purpose of this chapter is to adopt recognized standards for the design, construction, and placement of above-ground tanks to collect used oil from private individuals for recycling purposes pursuant to RCW 19.114.040.

These standards are designed to fulfill the legislative intent as stated in RCW 19.114.010 which states "Improper

(2007 Ed.)

disposal of used oil creates leaching problems within landfills, is a significant source of water pollution, has a detrimental impact on the fisheries industry, and contributes toward the overall shortage of energy resources. In light of these harmful consequences and the ease with which used oil can be recycled, the legislature declares that it is the policy of this state to collect and recycle used oil."

[Statutory Authority: RCW 19.114.040. 87-06-044 (Order 87-05), § 212-51-001, filed 3/4/87.]

WAC 212-51-005 Definitions. The following definitions shall apply to this chapter:

(1) "Approved" means approved by the state director of fire protection as the result of investigation and tests conducted by him/her, or by reasons of principles, tests by national, technical, or scientific organizations accepted by the director as valid.

(2) "Director" means state director of fire protection.

(3) "Department" means the department of community development, fire protection services division.

(4) "Fire official" means the person or other designated authority, appointed by the city, town, or county, for administration and enforcement of the Uniform Fire Code adopted by reference in the State Building Code Act, chapter 19.27 RCW.

(5) "Person" means an individual, private or public corporation, partnership, cooperative, association, estate, municipality, political subdivision, or governmental agency or instrumentality. (RCW 19.114.020.)

(6) "Recycle" means to prepare used oil for re-use as a petroleum product by refining, rerefining, reclaiming, reprocessing, or other means or to use used oil as a substitute for a petroleum product made from new oil, provided that the preparation or use is operationally safe, environmentally sound, and complies with all laws and rules.

(7) "Used oil" means automotive oil which through use, storage, or handling has become unsuitable for its original purpose due to the presence of impurities or the loss of original properties.

[Statutory Authority: RCW 19.114.040. 87-06-044 (Order 87-05), § 212-51-005, filed 3/4/87.]

WAC 212-51-010 Applicability. This chapter applies to all facilities placed for the collection of used oil from the public for the purpose of recycling.

[Statutory Authority: RCW 19.114.040. 87-06-044 (Order 87-05), § 212-51-010, filed 3/4/87.]

WAC 212-51-015 Application. Prior to the placement of a collection facility, the installer shall make application to the local fire official. All equipment shall comply with the provision of this chapter. Permits will be issued or denied upon the basis of the applicant's compliance with the state fire protection services division, and the Uniform Fire Code as adopted by reference in the State Building Code Act, chapter 19.27 RCW. (See also UFC Sec. 4.101.) The installer shall provide, if required by the local fire official, a plot plan of the proposed location showing required set back from buildings or property lines.

[Statutory Authority: RCW 19.114.040. 87-06-044 (Order 87-05), § 212-51-015, filed 3/4/87.]

WAC 212-51-020 Alternate materials and methods.

The director of fire protection may modify any of the provisions of this code upon application in writing where there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be complied with, public safety secured. The particulars of such modification may be allowed and the decision of the director of fire protection shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

The director may require tests as proof of compliance with the intent of this code. Such tests shall be made by an approved agency at the expense of the person requesting approval of the alternate material or method of construction.

If technical expertise is unavailable within the department because of new technology, process, products, facilities, materials and uses attending the design of the proposed alternate, the director may require the person in possession or control to provide, without charge to the department, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire-safety speciality organization acceptable to the director and the owner, and shall analyze the fire-safety properties of the design, operation or use of the proposed alternate, and prescribe the necessary recommended changes.

[Statutory Authority: RCW 19.114.040, 87-06-044 (Order 87-05), § 212-51-020, filed 3/4/87.]

WAC 212-51-025 Minimum design standards. Used oil collection facilities for the collection of used oil from the public shall comply with the Uniform Fire Code and the following:

- (1) A funnel-shaped fill area to reduce spills.
- (2) A suitable port for emptying storage tank by suction. No pressurization of the tank shall be permitted.
- (3) A nearby suitable covered litter receptacle for disposal of contaminated oil containers.
- (4) There shall be a suitable sticker affixed to the tank that states approval of the director of fire protection and department of ecology.

[Statutory Authority: RCW 19.114.040, 87-06-044 (Order 87-05), § 212-51-025, filed 3/4/87.]

WAC 212-51-030 Location. Used oil collection facilities shall be located in accordance with the Uniform Fire Code, as adopted by chapter 19.27 RCW.

[Statutory Authority: RCW 19.114.040, 87-06-044 (Order 87-05), § 212-51-030, filed 3/4/87.]

WAC 212-51-035 Environmental impact of placement of above-ground used oil tanks. As stated in RCW 90.48.320, "It shall be unlawful ... for oil to enter the waters of the state from ... any fixed or mobile facility or installation" Above-ground used oil tanks should be placed to avoid discharge of spilled oil into the surface waters or ground waters of the state pursuant to RCW 90.48.315 through 90.48.410.

[Statutory Authority: RCW 19.114.040, 87-06-044 (Order 87-05), § 212-51-035, filed 3/4/87.]

[Title 212 WAC—p. 72]

WAC 212-51-040 Portable fire extinguishers. Fire extinguisher coverage shall be in accordance with the Uniform Fire Code.

[Statutory Authority: RCW 19.114.040, 87-06-044 (Order 87-05), § 212-51-040, filed 3/4/87.]

WAC 212-51-045 Signs. (1) It shall be the responsibility of all owners of above-ground used oil tanks to post a prominent sign on or near the tank identifying the tank as a used oil recycling tank only, and stating that contaminants should not be mixed with used oil.

(2) Signs shall be commercially printed on the tank, or within two feet of it, and placed where spilled oil will not obscure message. "RECYCLE USED OIL HERE" letters will be a minimum of one inch high by three-eighths inch wide in capital letters (96 pt). Remaining letters will be five-eighths inch high by one quarter inch wide (60 pt.) with the letters "FOR USED OIL ONLY" and "DO NOT" in capital letters.

RECYCLED USED OIL HERE

- *Prevent water pollution
- *Protect public health
- *Re-use limited resources

FOR USED OIL ONLY

DO NOT MIX WITH GASOLINE
antifreeze, engine degreasers, solvents,
cooking oil or any other contaminants

(3) The facility shall contain wording in accordance with the Uniform Fire Code visible from all sides stating "No Smoking or Open Flame."

(4) The establishment where a used oil collection tank is located shall prominently post a separate sign in a conspicuous place stating "RECYCLED USED OIL ACCEPTED HERE." Letters to be a minimum of one and one-half inches high by one-half inches wide in capital letters (144 pt).

[Statutory Authority: RCW 19.114.040, 87-06-044 (Order 87-05), § 212-51-045, filed 3/4/87.]

WAC 212-51-050 Severability. If any provision of this chapter or its application to any person is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

[Statutory Authority: RCW 19.114.040, 87-06-044 (Order 87-05), § 212-51-050, filed 3/4/87.]

Chapter 212-75 WAC

POSTING PREMISES PROTECTED BY GUARD ANIMALS

WAC

212-75-001	Purpose.
212-75-005	Minimum specifications for approved signs.

WAC 212-75-001 Purpose. The purpose of this chapter is to describe the minimum specifications for approved signs warning of the presence of guard animals, as required by RCW 48.48.150.

[Statutory Authority: RCW 48.48.150(1), 84-08-018 (Order FM 84-01), § 212-75-001, filed 3/27/84.]

(2007 Ed.)

WAC 212-75-005 Minimum specifications for approved signs. To be approved by the state fire marshal, a sign warning of the presence of guard animals as required by RCW 48.48.150 shall satisfy the following two conditions:

(1) The sign must be at least 3" by 5" (three inches in height by five inches in length), though it may be larger; and

(2) The sign must bear the following caption in bold print at least 1/2" (one-half inch) high: "CAUTION! PREMISES PROTECTED BY GUARD ANIMALS."

[Statutory Authority: RCW 48.48.150(1). 84-08-018 (Order FM 84-01), § 212-75-005, filed 3/27/84.]

Chapter 212-80 WAC

FIRE SPRINKLER SYSTEM CONTRACTORS

WAC

GENERAL PROVISIONS

212-80-001	Purpose.
212-80-005	Applicability.
212-80-010	Definitions.
212-80-015	Compliance.
212-80-018	License and certification requirements.
212-80-020	Right of appeal.
212-80-023	Authority having jurisdiction.
212-80-028	License and certificate posting.
212-80-033	Posting license number.
212-80-038	Municipality, county, or state regulations.
212-80-043	Qualifications for preparation of layout drawings, installations, inspections, testing, maintenance, or servicing.
212-80-048	Subcontracting.

FIRE PROTECTION SPRINKLER CONTRACTOR

212-80-053	Licensed fire protection sprinkler system contractor.
212-80-058	Fire protection sprinkler contractor license not transferable.
212-80-063	Contractor responsibilities, certificate of competency holder employment.
212-80-068	License renewals.
212-80-073	Prorated license fees.
212-80-078	Contractor surety bonds.

FIRE SPRINKLER CERTIFICATE OF COMPETENCY HOLDER

212-80-083	Stamps for NFPA 13D, 13R, and 13 systems.
212-80-088	Contractor's materials and test certificates.
212-80-093	Certificate of competency certification.
212-80-098	Applications/fees for certificate of competency.
212-80-103	Temporary certificate of competency.
212-80-108	Certificate of competency not transferable.
212-80-113	Certificate of competency employment.
212-80-118	Certificate of competency renewals.
212-80-123	Voluntary relinquishment of certificates of competency.
212-80-128	Certificate of competency prorated fees.

FIRE PROTECTION SYSTEMS INSPECTION AND TESTING CONTRACTOR

212-80-133	Sprinkler system inspection and testing contractor.
212-80-138	Sprinkler system inspection and testing contractor—Work allowed by this license.
212-80-140	Inspection and testing license not transferable.
212-80-145	Sprinkler system inspection and testing contractor responsibilities.
212-80-150	Inspection and testing contractor license renewals.
212-80-155	Sprinkler system inspection and testing contractor—Prorated fees.
212-80-160	Sprinkler system inspection and testing contractor—Surety bonds.

INSPECTION AND TESTING TECHNICIAN

212-80-165	Inspection and testing of water based fire protection systems.
212-80-170	Inspection and testing technicians—Work allowed by this certification.
212-80-175	Inspection and testing technician—Certification.
212-80-180	Application/fees for inspection and testing technician certification.

212-80-185	Inspection and testing technician certification not transferable.
212-80-188	Inspection and testing technician employment.
212-80-190	Inspection and testing technician renewal certificates.
212-80-195	Inspection and testing technician—Prorated fees.

REVOCATION OF LICENSE/CERTIFICATE

212-80-200	Suspension or revocation of licenses.
212-80-205	Suspension or revocation of certificates.

CIVIL PENALTIES AND FINES

212-80-210	Imposing citations and civil penalties.
212-80-215	Citations and penalties.
212-80-220	General rules of citations and penalties.
212-80-225	Violation types, instances, and penalty assessments.
212-80-230	Hearings.
212-80-235	Informal conference.
212-80-240	Formal hearing.
212-80-245	Penalty adjustments.
212-80-250	Payment of civil penalty.
212-80-255	Type I (minimal) violations.
212-80-260	Type II (moderate) violations.
212-80-265	Type III (serious) violations.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

212-80-025	Authority having jurisdiction. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-025, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-023.
212-80-030	Qualifications for preparation of layout drawings, installations, inspections, maintenance, or servicing. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-030, filed 12/1/94, effective 1/1/95; 92-20-070 (Order 92-08), § 212-80-030, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-030, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-043.
212-80-035	Seals for NFPA 13D, 13R, and 13 systems. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-035, filed 12/1/94, effective 1/1/95; 92-20-070 (Order 92-08), § 212-80-035, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-035, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-083.
212-80-040	Contractor's materials and test certificates. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-040, filed 12/1/94, effective 1/1/95; 91-14-086 (Order 91-06), § 212-80-040, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-088.
212-80-045	Certificate of competency testing. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-045, filed 12/1/94, effective 1/1/95; 91-14-086 (Order 91-06), § 212-80-045, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-093.
212-80-050	Applications/fees for certificate of competency. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-050, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-098.
212-80-055	Temporary certificate of competency. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 92-20-070 (Order 92-08), § 212-80-055, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-055, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-103.

- 212-80-060 Certificate of competency not transferable. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-060, filed 12/1/94, effective 1/1/95; 91-14-086 (Order 91-06), § 212-80-060, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-108.
- 212-80-065 Suspension or revocation of certificates. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-065, filed 12/1/94, effective 1/1/95; 92-20-070 (Order 92-08), § 212-80-065, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-065, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-205.
- 212-80-070 Certificate of competency employment. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-070, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-113.
- 212-80-075 Renewal certificates. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-075, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-118.
- 212-80-080 Voluntary relinquishment of certificates of competency. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-080, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-123.
- 212-80-085 Certificate of competency prorated fees. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-085, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-128.
- 212-80-090 Licensed fire protection sprinkler system contractor. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-090, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-053.
- 212-80-095 License and certificate posting. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-095, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-028.
- 212-80-100 Posting license number. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-100, filed 7/1/91, effective 8/1/91.] Decodified by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-033.
- 212-80-105 License not transferable. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-105, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-058.
- 212-80-110 Contractor responsibilities, certificate of competency holder employment. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-110, filed 12/1/94, effective 1/1/95; 91-14-086 (Order 91-06), § 212-80-110, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-063.
- 212-80-115 License renewals. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-115, filed 12/1/94, effective 1/1/95; 92-20-070 (Order 92-08), § 212-80-115, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-115, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-068.
- 212-80-120 Prorated license fees. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-120, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-073.
- 212-80-125 Contractor surety bonds. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 92-20-070 (Order 92-08), § 212-80-125, filed 10/5/92, effective 11/5/92.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-078.
- 212-80-130 Municipality, county, or state regulations. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-130, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-038.
- 212-80-135 Suspension or revocation of licenses. [Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-135, filed 12/1/94, effective 1/1/95; 91-14-086 (Order 91-06), § 212-80-135, filed 7/1/91, effective 8/1/91.] Decodified and amended by 05-05-006, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.43 and 18.160 RCW. Recodified as § 212-80-200.

GENERAL PROVISIONS

WAC 212-80-001 Purpose. The purpose of this regulation is to adopt rules for the licensing of fire protection sprinkler system contractors, the issuance of certificates of competency, and for the issuance of civil fines and citations as defined in chapter 18.160 RCW.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-001, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-001, filed 7/1/91, effective 8/1/91.]

WAC 212-80-005 Applicability. This regulation applies to any and all persons or organizations performing as a fire protection sprinkler contractor and/or certificate of competency holder, with or without the required state licensing and/or certification as defined in chapter 18.160 RCW.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-005, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-005, filed 7/1/91, effective 8/1/91.]

WAC 212-80-010 Definitions. The following definitions shall apply to this regulation:

"Authority having jurisdiction (AHJ)" means the organization, office, or individual responsible for approving layout drawings, equipment, an installation or a procedure. Usually the AHJ is the building and/or fire official of the city or county in which the job site is located. In certain cases, such as health care facilities, transient accommodations and day care facilities, the AHJ is the city or county building and/or fire official and the chief of the Washington state patrol, through the director of fire protection.

"Citation" means written notification issued by the chief of the Washington state patrol, through the director of fire protection, pursuant to RCW 18.160.040 to issue a civil penalty for a violation of any provision of chapter 18.160 RCW. A citation may include, but is not limited to, a description of the violation(s) and a notice of civil penalty assessment.

"Director of fire protection" means the state fire marshal and/or his or her authorized representative.

"Dry pipe sprinkler system" means a system employing automatic sprinklers attached to a piping system containing air or nitrogen under pressure, the release of which (as from the opening of a sprinkler) allows the water pressure to open a valve known as a dry pipe valve. The water then flows into the piping system and out to the open sprinkler(s).

"Fire protection sprinkler system" means an assembly of underground and/or overhead piping beginning at the connection to the primary water supply, whether public or private, that conveys water with or without other agents to dispersal openings or devices to extinguish, control, or contain fire or other products of combustion. The fire protection sprinkler system (with the exception of residential combination systems) starts at the point where the last nonfire water use is taken from the supply mains. This is the point just down stream of the last tap for domestic or process water, the last water control valve that is required by a city or other authority, or the point where the water can be considered nonflowing.

"Fire pump" means a listed pump supplying water at the flow and pressure required by water based fire protection systems.

"FOR DESIGN ONLY" means a certificate of competency holder only allowed to perform the design of a fire protection sprinkler system consistent with the level of certification he or she holds. In the case of a "State Level U certification," "FOR DESIGN ONLY" merely allows the individual to maintain their certification.

"Formal hearing" means a hearing before a hearings officer where laws, rules, and evidence are presented, considered, and a decision is rendered.

"Hazard" means a condition which could result in injury or death to a person and/or damage to property.

"Hearings request" means the written request for a formal hearing to contest a civil penalty.

"Inspection" means a visual examination of a fire protection sprinkler system, or portion of the system, to verify that the system appears to be in operating condition, is free from physical damage, and complies with the applicable statutes and regulations adopted by the state.

"Instance" means the number of times a person has been cited for a violation of chapter 18.160 RCW or this chapter. These will be identified as 1st, 2nd, and 3rd instances.

"Maintenance" means work performed on a fire suppression sprinkler system to keep the equipment operable, or to make repairs.

"NFPA" means the National Fire Protection Association.

"NFPA 13D" means, in addition to the definition contained in chapter 18.160 RCW, the inclusion of minor accessory uses such as garages normally found in residential occupancies.

"NFPA 13R" means whatever standard that is used by the National Fire Protection Association for the installation and design of fire suppression sprinkler systems in residential occupancies up to and including four stories in height.

"NFPA 13" means whatever standard that is used by the National Fire Protection Association for the installation and design of fire suppression sprinkler systems in commercial or high occupancy facilities.

"NFPA 20" means whatever standard that is used by the National Fire Protection Association for the selection and

installation of pumps, both centrifugal and positive displacement, that supply liquid for a private fire protection system.

"NFPA 24" means whatever standard that is used by the National Fire Protection Association for the installation of the dedicated underground fire service main of a water based fire protection system.

"NFPA 25" means whatever standard that is used by the National Fire Protection Association for the inspection, testing, and maintenance of water based fire protection systems.

"NICET" means the National Institute for Certification in Engineering Technologies.

"Person" means one or more individuals, legal representatives, partnerships, joint ventures, associations, corporations (whether or not organized for profit), business trusts, or any organized group of individuals and includes the state, state agencies, counties, municipal corporations, school districts, and other public corporations.

"Preaction system" means a sprinkler system employing automatic sprinklers attached to a piping system containing air, which may or may not be under pressure, with a supplemental detection system installed in the same areas as the sprinklers.

"Qualified" shall mean an individual who has demonstrated through education, training, examination, and/or national certifications the competency, skill, and ability necessary to perform any work covered and/or defined by this chapter and chapter 18.160 RCW to the satisfaction of a relevant jurisdiction. In matters of compliance with the licensing and certification requirements of this chapter and chapter 18.160 RCW, the relevant jurisdiction shall be the chief of the Washington state patrol, through the director of fire protection.

"Revoke" means the chief of the Washington state patrol, through the director of fire protection, shall rescind a company's license or an individual's certification from them. Such action causes said company or individual to cease any and all work in the sprinkler field in Washington state until such time as the chief of the Washington state patrol, through the director of fire protection, is satisfied with the resolution of the issue which caused the license or certificate to be revoked.

"State fire marshal" means the director of fire protection or his/her authorized representative.

"State Level I certification" means a certificate of competency holder who is qualified to prepare layout drawings, install, inspect, test, maintain, or service an NFPA 13D fire protection sprinkler system or any part of such a system.

"State Level I licensing" means a sprinkler contracting company licensed by the chief of the Washington state patrol, through the director of fire protection, to contract and/or offer to bid on the design, installation, service, maintenance, and/or inspection of a NFPA 13D fire protection sprinkler system or any part of such a system.

"State Level II certification" means a certificate of competency holder who is qualified to prepare layout drawings, install, inspect, test, maintain, or service an NFPA 13D and/or an NFPA 13R fire protection sprinkler system or any part of such a system.

"State Level II licensing" means a sprinkler contracting company licensed by the chief of the Washington state patrol, through the director of fire protection, to contract and/or offer

to bid on the design, installation, service, maintenance, and/or inspection of a NFPA 13D and/or a NFPA 13R fire protection sprinkler system or any part of such a system.

"State Level III certification" means a certificate of competency holder who is qualified to prepare layout drawings, install, inspect, maintain, or service an NFPA 13D, NFPA 13R, NFPA 13, or all other systems per the definition of fire protection sprinkler system in chapter 18.160 RCW.

"State Level III licensing" means a sprinkler contracting company licensed by the chief of the Washington state patrol, through the director of fire protection, to contract and/or offer to bid on the design, installation, service, maintenance, and/or inspection of a NFPA 13D, NFPA 13R, NFPA 13, or all other systems per the definition of a fire protection sprinkler system in chapter 18.160 RCW.

"State certified fire sprinkler system inspection and testing technician" ("ITT") means a state certificateholder who is qualified to inspect and/or test NFPA 13D, 13R, or 13, wet and dry pipe fire protection systems per the definition of fire protection sprinkler system in this chapter. However, testing of other fire protection systems such as preaction, deluge, foam, or fire pump and maintenance of any type of system defined under this chapter or chapter 18.160 RCW shall be performed only by contractors who are also qualified and licensed to design and install that type of system or fire pump.

"State level inspection and testing contractor licensing" means a sprinkler contracting company licensed by the chief of the Washington state patrol, through the director of fire protection, to contract and/or offer to bid on the inspection or testing of a wet or dry pipe NFPA 13 - D, NFPA 13 - R, NFPA 13, or other systems per the definition of a fire protection sprinkler system in chapter 18.160 RCW. However, the testing and maintenance of fire protection systems such as preaction, deluge, foam, or fire pumps, shall be performed only by contractors who are also qualified and licensed to design and install that type of system or fire pump being tested or maintained.

"State Level U certification" means a certificate of competency holder who is qualified to certify the installation of the underground portions of fire protection sprinkler systems in conformance with recognized standards adopted by the director of fire protection.

"State Level U licensing" means a sprinkler contracting company licensed by the chief of the Washington state patrol, through the director of fire protection, to contract and/or offer to bid on the installation of the underground portions of fire protection sprinkler systems in conformance with the recognized standards adopted by the chief of the Washington state patrol, through the director of fire protection.

"Suspend" means the chief of the Washington state patrol, through the director of fire protection, holds a license or certificate inactive until such time as the chief of the Washington state patrol, through the director of fire protection, feels confident that the company or individual is in compliance with the requirements of this chapter and chapter 18.160 RCW.

"Testing" means a procedure used to determine the status of a system as intended by conducting periodic physical checks on water-based fire protection systems such as water-flow tests, fire pump tests, alarm tests, and trip tests of dry pipe, deluge, or preaction valves. These tests follow up on the

original acceptance test at intervals specified in the appropriate chapter of NFPA 25.

"Type" means the classification of violation as minimal, moderate, and severe. These are identified as Types I, II, and III respectively.

"Violation" means any action, general or specific, inconsistent with the intent and letter of chapter 18.160 RCW and this chapter and shall be further defined as:

(a) "Minimal violation" means a Type I violation which poses a minor hazard or threat to life and property in the event of a fire.

(b) "Moderate violation" means a Type II violation which poses a significant hazard or threat to life or property in the event of a fire.

(c) "Severe violation" means a Type III violation which poses a substantial hazard or threat to life or property in the event of a fire.

"Wet pipe sprinkler system" means a sprinkler system employing automatic sprinklers attached to a piping system containing water and connected to a water supply so that water discharges immediately when any sprinkler is opened by heat from a fire.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-010, filed 8/16/05, effective 9/16/05; 05-05-006, § 212-80-010, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 92-20-070 (Order 92-08), § 212-80-010, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-010, filed 7/1/91, effective 8/1/91.]

WAC 212-80-015 Compliance. All fire sprinkler system contractors, certificate of competency holders, and persons installing, inspecting, maintaining, or servicing fire protection sprinkler systems or any part of such a system shall comply with the provisions of this regulation.

EXCEPTIONS:

(1) Federal, state, and local government employees, or insurance inspectors when acting in their official capacities.

(2) A person or organization acting under court order.

(3) A person or organization that sells or supplies products or materials to a licensed fire protection sprinkler system contractor.

(4) A registered professional engineer acting solely in a professional capacity.

(5) A properly qualified and/or trained employee of a licensed fire protection sprinkler system contractor performing duties for the contractor. Said qualifications and/or training to be consistent with the level of work performed by the licensed fire protection sprinkler system contractor.

(6) An owner/occupier of a single-family residence performing his or her own installation in that residence. It is the intent of this subsection that builders or contractors will not install their own sprinkler systems in single-family residences under their ownership which they plan to sell, lease, or rent.

(7) An employee of a facility or owner who is qualified to the satisfaction of the local authority having jurisdiction to perform inspection and testing of fire protection sprinkler systems in said facility.

(8) An employee of a licensed electrical contractor installing or testing only the electronic signaling devices of a fire sprinkler system.

(9) A person, licensed by the Washington state department of health, under chapter 246-292 WAC, as a certified backflow assembly tester, performing testing and maintenance of backflow assemblies.

(10) A person licensed by the Washington state department of health, under chapter 246-292 WAC, as a certified backflow assembly tester, and also licensed by the Washington state department of labor and industries, under chapter 18.106 RCW, as a backflow specialty plumber performing repairs of backflow assemblies in accordance with chapter 246-290 WAC.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-015, filed 8/16/05, effective 9/16/05; 05-05-006, § 212-80-015, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-015, filed 12/1/94, effective 1/1/95; 92-20-070 (Order 92-08), § 212-80-015, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-015, filed 7/1/91, effective 8/1/91.]

WAC 212-80-018 License and certification requirements. Only a company or individual licensed as a fire protection sprinkler systems contractor, who has at least one designer on staff certified by the chief of the Washington state patrol, through the director of fire protection, can bid, offer to bid, contract, or perform the designing, installation, inspection, testing, maintenance, and/or servicing of a fire protection sprinkler system.

EXCEPTION: A company or individual licensed as an inspection and testing contractor, whose staff performing the work of inspection and/or testing of a fire protection sprinkler system have all been certified by the chief of the Washington state patrol, through the director of fire protection, as described in this chapter, can bid, offer to bid, contract, or perform only the testing and inspection of a fire protection sprinkler system - excluding preaction, deluge, or foam systems or systems with fire pumps.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-018, filed 8/16/05, effective 9/16/05; 05-05-006, § 212-80-018, filed 2/4/05, effective 3/7/05.]

WAC 212-80-020 Right of appeal. Any person who is aggrieved by the chief of the Washington state patrol, through the director of fire protection suspending or revoking the privilege of a licensed fire protection sprinkler system contractor or the certificate of a certificate of competency holder to engage in fire protection sprinkler system business, may appeal to the director within thirty days of the date of the order.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-020, filed 8/16/05, effective 9/16/05. Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-020, filed 7/1/91, effective 8/1/91.]

WAC 212-80-023 Authority having jurisdiction. (1) Fire protection sprinkler systems shall meet the approval of the authority having jurisdiction. This includes plans, specifications, calculations, contractor's materials and test certificates, and final approval.

(2) In certain types of occupancies the authority having jurisdiction may be the chief of the Washington state patrol, through the director of fire protection and the building and/or fire official of the city or county in which the installation is located. Generally these dual responsibilities occur in health care facilities, transient accommodations, and day care facilities.

(3) It is the responsibility of the certificate of competency holder to ascertain which agency or agencies have jurisdiction. If there is a question, the certificate of competency holder should contact the chief of the Washington state patrol, through the director of fire protection.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-023, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-025, filed 7/1/91, effective 8/1/91.]

WAC 212-80-028 License and certificate posting.

Each license and certification issued under this regulation must be posted in a conspicuous place in the fire protection sprinkler system contractor's place of business. The wallet card issued to a certificate of competency holder and/or an inspection and testing technician under this chapter will be maintained with the certified individual it was issued to and available for review at any time.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-028, filed 8/16/05, effective 9/16/05; 05-05-006, amended and recodified as § 212-80-028, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-095, filed 7/1/91, effective 8/1/91.]

WAC 212-80-033 Posting license number. All bids, advertisements, proposals, offers, and installation drawings for fire protection sprinkler systems must prominently display the fire protection sprinkler system contractor's license number.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, recodified as § 212-80-033, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-100, filed 7/1/91, effective 8/1/91.]

WAC 212-80-038 Municipality, county, or state regulations. (1) Nothing in this regulation limits the power of a municipality, county, or state to regulate the quality and character of work performed by contractors through a system of permits, fees, and inspections which are designed to assure compliance with and aid in the implementation of state and local building laws or to enforce other local laws for the protection of the public health and safety.

(2) Nothing in this regulation limits the power of the municipality, county, or the state to adopt any system of permits requiring submission to and approval by the municipality, county, or the state of layout drawings and specifications for work to be performed by contractors before commencement of the work.

(3) The official authorized to issue building or other related permits shall ascertain that the fire protection sprinkler system contractor is duly licensed by requiring evidence of a valid fire protection sprinkler system contractor's license and a valid certificate of competency stamp consistent with the contractor's license.

(4) This regulation applies to any fire protection sprinkler system contractor performing work for any municipality, county, or the state.

(5) Officials of any municipality, county, or the state are required to determine compliance with this regulation before awarding any contracts for the installation, inspection, testing, maintenance, repair, service, alteration, fabrication, or addition of a fire protection sprinkler system.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-038, filed 8/16/05, effective 9/16/05; 05-05-006, amended and recodified as § 212-80-038, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-130, filed 7/1/91, effective 8/1/91.]

WAC 212-80-043 Qualifications for preparation of layout drawings, installations, inspections, testing, maintenance, or servicing. (1) Only licensed fire protection sprinkler system contractors shall execute contracts for the installation, inspection, testing, maintenance, or servicing of fire protection sprinkler systems or any part of such a system in the state of Washington.

Exception: A company or individual licensed as an inspection and testing contractor, whose staff performing the work of inspection and testing of a fire protection sprinkler system have all been certified by the chief of the Washington state patrol, through the director of fire protection, as described in this chapter, can bid, offer to bid, contract, or perform only the testing and inspection of a fire protection sprinkler system - excluding preaction, deluge, or foam systems or systems with fire pumps.

(2) Only licensed contractors who have achieved at least State Level U licensure shall execute contracts for the installation, inspection, maintenance and/or servicing of the underground portions of fire protection sprinkler systems in the state of Washington.

(3) Only licensed fire protection sprinkler contractors who have achieved at least State Level I licensure shall execute contracts for the installation, inspection, testing, maintenance and/or servicing of NFPA 13D fire protection sprinkler systems or any part of such a system in the state of Washington.

(4) Only licensed fire protection sprinkler contractors who have achieved at least State Level II licensure shall execute contracts for the installation, inspection, testing, maintenance and/or servicing of NFPA 13D or NFPA 13R fire protection sprinkler systems or any part of such a system in the state of Washington.

(5) Only licensed fire protection sprinkler contractors who have achieved at least State Level III licensure shall execute contracts for the installation, inspection, testing, maintenance and/or servicing of NFPA 13D, NFPA 13R, NFPA 13, and all other systems per the definition of fire protection sprinkler system in chapter 18.160 RCW or any part of such a system in the state of Washington.

(6) Only those certificate of competency holders who have achieved State Level U certification shall supervise and/or certify the installation of underground supplies to fire protection sprinkler systems. To achieve State Level U certification, persons shall satisfactorily complete an examination administered by the chief of the Washington state patrol, through the director of fire protection.

(7) Only those certificate of competency holders who have achieved at least State Level I certification shall supervise and/or certify the preparation of layout drawings, installation, inspection, testing, maintenance, servicing, or the installation of NFPA 13D fire protection sprinkler systems or any part thereof. To achieve State Level I certification, persons shall hold a current NICET Level 2 classification or satisfactorily complete an examination administered by the chief of the Washington state patrol, through the director of fire protection.

(8) Only those certificate of competency holders who have achieved at least State Level II certification shall supervise and/or certify the preparation of layout drawings, installation, inspection, testing, maintenance, servicing, or the installation of NFPA 13D and NFPA 13R fire protection sprinkler systems or any part thereof. To achieve State Level II certification, persons shall hold a current NICET Level 2 classification.

(9) Only those certificate of competency holders who have achieved at least State Level III certification shall supervise and/or certify the preparation of layout drawings, installation, inspection, testing, maintenance, servicing, or the installation of NFPA 13D, NFPA 13R, NFPA 13, and all other systems per the definition of fire protection sprinkler system in chapter 18.160 RCW or any part thereof. To achieve State Level III certification, persons shall hold a current NICET Level 3 or 4.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-043, filed 8/16/05, effective 9/16/05; 05-05-006, amended and recodified as § 212-80-043, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-030, filed 12/1/94, effective 1/1/95; 92-20-070 (Order 92-08), § 212-80-030, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-030, filed 7/1/91, effective 8/1/91.]

WAC 212-80-048 Subcontracting. Subcontracting of any work under the purview of chapter 18.160 RCW involving unlicensed contractors is strictly prohibited and a violation of chapter 18.160 RCW.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-048, filed 2/4/05, effective 3/7/05.]

FIRE PROTECTION SPRINKLER CONTRACTOR

WAC 212-80-053 Licensed fire protection sprinkler system contractor. To become a licensed fire protection sprinkler system contractor under this regulation, a person or firm must comply with the following:

(1) Must be or have in his or her full-time employ a holder of a valid certificate of competency whose level is consistent with the license level.

(2) Make application to the director of fire protection on forms provided and pay the fees required.

(3) Meet the bonding requirements of WAC 212-80-078.

(4) Be licensed as a contracting company in the state of Washington by the department of labor and industries and possess the twelve digit alphanumeric business license number assigned by that agency.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-053, filed 8/16/05, effective 9/16/05; 05-05-006, amended and recodified as § 212-80-053, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-090, filed 7/1/91, effective 8/1/91.]

WAC 212-80-058 Fire protection sprinkler contractor license not transferable. A license issued under this regulation is not transferable.

EXCEPTION:

Should a currently licensed fire protection sprinkler contractor merge or form another company, that license can be reissued to the newly formed/incorporated company provided:

(1) The principal officers of the licensed company remain the same;

(2) Continues, takes over, or otherwise reestablishes the bond required by chapter 18.160 RCW for licensing;

(3) Continues to perform fire protection sprinkler contractor work as defined by chapter 18.160 RCW;

(4) Employs a certificate of competency holder of the appropriate level; and

(5) Meets the criteria necessary for licensing as a fire protection sprinkler contracting company as defined by chapter 18.160 RCW.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-058, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-105, filed 7/1/91, effective 8/1/91.]

WAC 212-80-063 Contractor responsibilities, certificate of competency holder employment. (1) A fire protection sprinkler system contractor shall have at least one full time certificate of competency holder, consistent with the license level, employed to conduct business.

(2) If a certificate of competency holder should leave the employment of the fire protection sprinkler system contractor, and the contractor has no other certificate of competency holder on staff, the contractor shall have six months or until the expiration of the current license, whichever occurs last, to submit a new application. In order to be issued a new license, the contractor shall identify a new certificate of competency holder who, at the time of application, shall be either an owner or full-time employee of that fire protection sprinkler business.

(3) If such application is not received by the chief of the Washington state patrol, through the director of fire protection and a new license issued within the allotted time, the chief of the Washington state patrol, through the director of fire protection shall revoke the license of the fire protection sprinkler system contractor.

(4) The fire protection sprinkler system contractor may only complete the active phase of existing work in progress which has been approved by the authority having jurisdiction, and may not receive new approvals from the authority having jurisdiction without a certificate holder's number on the documents. Installation can continue on approved design plans, however, the contractor's material and test certificate for the system must be stamped by a certificate of competency holder in the full-time employ of the installing contractor.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-063, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-110, filed 12/1/94, effective 1/1/95; 91-14-086 (Order 91-06), § 212-80-110, filed 7/1/91, effective 8/1/91.]

WAC 212-80-068 License renewals. (1) All licensed fire protection sprinkler system contractors desiring to continue to be licensed shall secure from the chief of the Washington state patrol, through the director of fire protection prior to January 1 of each year a renewal license upon payment of the fee as prescribed by the chief of the Washington state patrol, through the director of fire protection.

(2) Application for renewal shall be upon a form prescribed by the chief of the Washington state patrol, through the director of fire protection, and the license holder shall fur-

nish the information required by the chief of the Washington state patrol, through the director of fire protection.

(3) Failure of any license holder to secure his or her renewal license within sixty days after the expiration date shall constitute sufficient cause for the chief of the Washington state patrol, through the director of fire protection to suspend the license.

(4) The chief of the Washington state patrol, through the director of fire protection may restore a license that has been suspended. In addition to other provisions of this regulation, any of the following will constitute cause for the chief of the Washington state patrol, through the director of fire protection not to restore a license that has been suspended:

(a) Nonreceipt of payment of all delinquent fees;

(b) Nonreceipt of a late charge and/or application fee;

(c) Failure to comply with the bonding requirements of chapter 18.160 RCW; and

(d) Failure to obtain or show evidence of having a full time employee certified as a certificate of competency holder of the appropriate level as defined by chapter 18.160 RCW.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-068, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-115, filed 12/1/94, effective 1/1/95; 92-20-070 (Order 92-08), § 212-80-115, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-115, filed 7/1/91, effective 8/1/91.]

WAC 212-80-073 Prorated license fees. The initial license fee shall be prorated based upon the portion of the year such license is in effect. This is allowed only once in the history of the company.

EXCEPTION: Any contracting company who attempts to license as a fire sprinkler contracting company after performing work covered by this chapter and chapter 18.160 RCW shall be required to pay the full annual licensing fees, in addition to any penalties assessed by the chief of the Washington state patrol, through the director of fire protection, for unlicensed operation(s).

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-073, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-120, filed 7/1/91, effective 8/1/91.]

WAC 212-80-078 Contractor surety bonds. (1) The chief of the Washington state patrol, through the director of fire protection shall not issue a license under this regulation unless:

(a) The fire protection sprinkler system contractor, to be licensed as a Level III or Level "U" fire protection sprinkler system contractor, files with the chief of the Washington state patrol, through the director of fire protection a surety bond executed by a surety company authorized to do business in the state of Washington, in the sum of ten thousand dollars, conditioned to compensate third-party losses caused by the acts of the principal or the principal's servant, officer, agent, or employee in conducting the business registered or licensed under this regulation; or

(b) The fire protection sprinkler system contractor, to be licensed for Level I and/or Level II systems or a contractor to be licensed as an inspection and testing contractor, files with the chief of the Washington state patrol, through the director of fire protection a surety bond executed by a surety company authorized to do business in the state of Washington, in the sum of six thousand dollars, conditioned to compensate third-

party losses caused by the acts of the principal or the principal's servant, officer, agent, or employee in conducting the business registered or licensed under this regulation.

(2) Upon approval by the chief of the Washington state patrol, through the director of fire protection, property or cash may substitute for a surety bond provided the value matches the appropriate level of bonding required for the level of work to be performed. The value of property shall be determined by an appraiser selected by the chief of the Washington state patrol, through the director of fire protection. All appraisal fees shall be paid by the fire protection sprinkler system contractor.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-078, filed 8/16/05, effective 9/16/05; 05-05-006, amended and recodified as § 212-80-078, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 92-20-070 (Order 92-08), § 212-80-125, filed 10/5/92, effective 11/5/92.]

FIRE SPRINKLER CERTIFICATE OF COMPETENCY HOLDER

WAC 212-80-083 Stamps for NFPA 13D, 13R, and 13 systems. (1) Sprinkler system plans, calculations, and contractors' materials and test certificates submitted to the authority having jurisdiction shall be stamped pursuant to subsection (3) of this section.

(2) At least one set of approved plans and calculations, containing information as specified in subsection (3) of this section, shall be maintained on the job site while the work is being performed.

(3) Stamps shall be issued by the chief of the Washington state patrol, through the director of fire protection and shall contain the name and certification number of the certificate of competency holder, name and license number of the holder's employer, the expiration date of the current certificate, a place for the signature of the certificate of competency holder and the date of the signature. On all plans the stamp shall be easily recognizable and visible.

(4) An original stamp and signature shall appear on each page of plans, on the cover sheet of hydraulic calculations and on all test certificates for fire protection sprinkler systems submitted to the authority having jurisdiction.

(5) Plans and calculations for "underground only" portions of fire protection sprinkler systems submitted to the authority having jurisdiction by a State Level U licensed fire protection sprinkler contractor shall be stamped by either a licensed professional engineer registered in the state of Washington or the appropriate level certificate of competency holder and the State Level U certificate of competency holder employed by the submitting contractor.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-083, filed 8/16/05, effective 9/16/05; 05-05-006, amended and recodified as § 212-80-083, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-035, filed 12/1/94, effective 1/1/95; 92-20-070 (Order 92-08), § 212-80-035, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-035, filed 7/1/91, effective 8/1/91.]

WAC 212-80-088 Contractor's materials and test certificates. (1) The certificate of competency holder shall complete the contractor's material and test certificate(s), affix

his/her certificate of competency stamp, and forward the certificate(s) to the authority having jurisdiction.

(2) Contractor's material and test certificate forms shall be of such form as accepted or approved by the chief of the Washington state patrol, through the director of fire protection.

(3) The authority having jurisdiction shall require an approved flow test of heads as part of the approval of NFPA 13R and NFPA 13D fire protection sprinkler systems.

(4) The authority having jurisdiction and the building owner shall retain copies of the contractor's materials and test certificate for a minimum of five years.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-088, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-040, filed 12/1/94, effective 1/1/95; 91-14-086 (Order 91-06), § 212-80-040, filed 7/1/91, effective 8/1/91.]

WAC 212-80-093 Certificate of competency certification. To become a certificate of competency holder under this regulation, an applicant must either:

(1) For State Level 1 certification, have satisfactorily passed with a final score of eighty percent or better an examination administered by the chief of the Washington state patrol, through the director of fire protection or show evidence of passing the National Institute for Certification in Engineering Technologies element requirements for Level 2 certification in fire protection system layout design.

(2) For State Level U certification, have satisfactorily passed with a final score of eighty percent or better an examination administered by the chief of the Washington state patrol, through the director of fire protection.

(3) Be a registered professional engineer acting solely in a professional capacity. Such engineer shall comply with all other requirements of this regulation including payment of fees, completion of the application process, and supplying the director of fire protection with proof that the applicant holds a current, valid state of Washington registration as a professional engineer. Upon completion of the above requirements, the engineer will be granted an equivalency certificate to that of State Level III; or

(4) Present a copy of a current certificate from the National Institute for Certification in Engineering Technologies showing that the applicant has achieved the classification. State Level 2 certification requires a minimum certification from the National Institute for Certification in Engineering Technologies of Level 2 in the field of fire protection automatic sprinkler system layout or better. State Level 3 certification requires either Engineering Technician, Level 3 or Senior Engineering Technician, Level 4 in the field of fire protection automatic sprinkler system layout.

(5) The chief of the Washington state patrol, through the director of fire protection may accept equivalent proof of qualification in lieu of the examination requirements.

(6) Proof of competency to the satisfaction of the chief of the Washington state patrol, through the director of fire protection is mandatory.

(7) Every applicant for a certificate of competency shall fulfill the requirements established by the chief of the Washington state patrol, through the director of fire protection under chapter 18.160 RCW.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-093, filed 8/16/05, effective 9/16/05; 05-05-006, amended and recodified as § 212-80-093, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-045, filed 12/1/94, effective 1/1/95; 91-14-086 (Order 91-06), § 212-80-045, filed 7/1/91, effective 8/1/91.]

WAC 212-80-098 Applications/fees for certificate of competency. Every applicant for a certificate of competency shall apply to the chief of the Washington state patrol, through the director of fire protection on application forms provided and pay the fees required.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-098, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-050, filed 7/1/91, effective 8/1/91.]

WAC 212-80-103 Temporary certificate of competency. (1) The chief of the Washington state patrol, through the director of fire protection may issue a temporary certificate of competency to an applicant who, in his or her judgment, will satisfactorily perform as a certificate of competency holder under the provisions of this regulation.

(2) The temporary certificate of competency shall remain in effect for a period of one year. If the temporary certificate of competency holder provides evidence to the chief of the Washington state patrol, through the director of fire protection, of testing with NICET in the previous year, the temporary certificate of competency may be renewed two times.

(3) In no case shall a person hold a temporary certificate of competency for more than three years, either cumulative or consecutive.

(4) To convert from a temporary certificate of competency to a regular certificate of competency, a person shall:

(a) Within three years from the initial issuance of the temporary certificate of competency, apply for a regular certificate of competency; and

(b) Complete the requirements specified in this regulation and chapter 18.160 RCW.

(5) An individual having a temporary certificate of competency shall not be exempt from taking an examination to acquire a regular certificate of competency.

(6) Prior to the expiration of the temporary certificate of competency at the end of the three-year period, the temporary certificate of competency holder shall make application for a regular certificate of competency. Upon expiration of the temporary certificate of competency at the end of the three-year period, if the holder has not met the requirements of subsection (4) of this section, the holder shall cease all activities associated with the holding of a certificate of competency.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-103, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 92-20-070 (Order 92-08), § 212-80-055, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-055, filed 7/1/91, effective 8/1/91.]

WAC 212-80-108 Certificate of competency not transferable. A certificate of competency issued under this regulation is not transferable. This certification can, however, follow a person to another employer provided that employer is currently licensed at the appropriate level.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-108, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-060, filed 12/1/94, effective 1/1/95; 91-14-086 (Order 91-06), § 212-80-060, filed 7/1/91, effective 8/1/91.]

WAC 212-80-113 Certificate of competency employment. (1) In no case shall a certificate of competency holder be employed full time by more than one fire protection sprinkler system contractor at the same time.

(2) If the certificate of competency holder should leave the employment of the fire protection sprinkler system contractor, he or she shall notify the chief of the Washington state patrol, through the director of fire protection within thirty days of his or her last day of employment.

(3) Should any individual who meets the criteria to be a certificate of competency holder as defined by this chapter and chapter 18.160 RCW wish to be certified to perform design work only, he or she may request to work as a "FOR DESIGN ONLY" certificate of competency holder. This certification can also be utilized to maintain state certification, as in the case of the State Level U certification.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-113, filed 8/16/05, effective 9/16/05; 05-05-006, amended and recodified as § 212-80-113, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-070, filed 7/1/91, effective 8/1/91.]

WAC 212-80-118 Certificate of competency renewals. (1) All certificate of competency holders who desire to maintain a current certificate shall, prior to January 1 of each year, apply for renewal to the chief of the Washington state patrol, through the director of fire protection on the appropriate form along with the required fee as prescribed by the chief of the Washington state patrol, through the director of fire protection.

(2) Application for renewal forms shall be provided by the chief of the Washington state patrol, through the director of fire protection, upon request, and the certificate holder shall furnish the information required by the chief of the Washington state patrol, through the director of fire protection.

(3) The chief of the Washington state patrol, through the director of fire protection may suspend the certificate of competency for failure to apply for a renewal certificate of competency within sixty days after the expiration date.

(4) The chief of the Washington state patrol, through the director of fire protection may, upon the receipt of payment of all delinquent fees and a late charge, restore a certificate of competency that had been suspended.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-118, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-075, filed 7/1/91, effective 8/1/91.]

WAC 212-80-123 Voluntary relinquishment of certificates of competency. (1) A certificate of competency holder may voluntarily relinquish his or her certificate of competency to the chief of the Washington state patrol, through the director of fire protection. This includes temporary certificate of competencies that have not been in effect for more than three consecutive and/or accumulative years.

(2) The relinquishment is effective when the certificate is received by the chief of the Washington state patrol, through the director of fire protection.

(3) After relinquishing the certificate of competency, he or she shall not be known as a certificate of competency holder and shall desist from the practice thereof.

(4) Within two years from the time of relinquishment of the certificate of competency, he or she may again qualify for a certificate of competency, with the approval of the chief of the Washington state patrol, through the director of fire protection, by the payment of the required fee.

(5) If two or more years have elapsed, he or she shall return to the status of a new applicant.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-123, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-080, filed 7/1/91, effective 8/1/91.]

WAC 212-80-128 Certificate of competency prorated fees. The initial certificate of competency fee shall be prorated based upon the portion of the year such certificate of competency is in effect, prior to renewal on January 1.

EXCEPTION: Any individual who attempts to certify with the chief of the Washington state patrol, through the director of fire protection, after performing work covered by this chapter and chapter 18.160 RCW shall be required to pay the full annual certification fees, in addition to any penalties assessed by the chief of the Washington state patrol, through the director of fire protection, for uncertified operation(s).

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, amended and recodified as § 212-80-128, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-085, filed 7/1/91, effective 8/1/91.]

FIRE PROTECTION SYSTEMS INSPECTION AND TESTING CONTRACTOR

WAC 212-80-133 Sprinkler system inspection and testing contractor. To become a licensed sprinkler system inspection and testing contractor under this regulation, a person or firm must comply with the following:

(1) Make application to the chief of the Washington state patrol, through the director of fire protection, on forms provided and pay the fees required.

(2) Meet the bonding requirements of WAC 212-80-125.

(3) Be licensed as a contracting company in the state of Washington by the department of labor and industries and provide the twelve digit alphanumeric business license number to the state fire marshal or his or her designee.

(4) Have each individual working as an inspection and testing technician certified as "qualified" by the chief of the Washington state patrol, through the director of fire protection, as defined by this chapter.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-133, filed 8/16/05, effective 9/16/05.]

WAC 212-80-138 Sprinkler system inspection and testing contractor—Work allowed by this license. Any company that becomes licensed as a sprinkler system inspection and testing contractor is allowed to contract for or offer to bid for the inspection and testing of water based fire protection systems as defined by chapter 18.160 RCW and this chapter. However, the inspection and testing of any fire pump

system, deluge, preaction, foam, or chemical based fire protection system is not allowed by this license, nor is any sprinkler system inspection and testing contractor allowed to perform any maintenance on a water or chemical based fire protection system.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-138, filed 8/16/05, effective 9/16/05.]

WAC 212-80-140 Inspection and testing license not transferable. A license issued under this regulation is not transferable.

EXCEPTION: Should a currently licensed inspection and testing contractor merge or form another company, that license can be reissued to the newly formed/incorporated company provided:

- (1) The principal officers of the licensed company remain the same;
- (2) Continues, takes over, or otherwise reestablishes the bond required by chapter 18.160 RCW for licensing;
- (3) Continues to perform inspection and testing contractor work as defined by chapter 212-80 WAC;
- (4) Employs at least one full-time inspection and testing technician; and
- (5) Meets the criteria necessary for licensing as an inspection and testing contracting company as defined by chapter 212-80 WAC.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-140, filed 8/16/05, effective 9/16/05.]

WAC 212-80-145 Sprinkler system inspection and testing contractor responsibilities. (1) Any employee of a sprinkler system inspection and testing contractor who physically performs inspection and testing of water based fire protection systems shall be certified by the chief of the Washington state patrol, through the director of fire protection, as an inspection and testing technician as defined in WAC 212-80-170. Under no condition can a sprinkler system inspection and testing contractor perform any inspection and testing of water based fire protection systems without at least one employee on staff certified by the chief of the Washington state patrol, through the director of fire protection, as a qualified inspection and testing technician, to physically perform any such work.

(2) If a sprinkler system inspection and testing contractor should at any time lose all inspection and testing technicians certified by the chief of the Washington state patrol, through the director of fire protection, that company is no longer able to perform work in Washington state as a sprinkler system inspection and testing contractor. Further, all work currently being performed by this contractor will be halted until such time as the company is able to employ full time at least one state certified inspection and testing technician to personally complete any existing physical work.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-145, filed 8/16/05, effective 9/16/05.]

WAC 212-80-150 Inspection and testing contractor license renewals. (1) All licensed sprinkler system inspection and testing contractors desiring to continue to be licensed shall secure from the chief of the Washington state patrol, through the director of fire protection, prior to January 1 of each year, a renewal license upon payment of the fee as prescribed by the chief of the Washington state patrol, through the director of fire protection.

(2) Application for renewal shall be upon a form prescribed by the chief of the Washington state patrol, through the director of fire protection, and the license holder shall furnish the information required by the chief of the Washington state patrol, through the director of fire protection.

(3) Failure of any license holder to secure his or her renewal license within sixty days after the due date shall constitute sufficient cause for the chief of the Washington state patrol, through the director of fire protection, to suspend the license.

(4) The chief of the Washington state patrol, through the director of fire protection, may restore a license that has been suspended. In addition to other provisions of this regulation, any of the following will constitute cause for the chief of the Washington state patrol, through the director of fire protection, not to restore a license that has been suspended:

(a) Nonreceipt of payment of all delinquent fees;

(b) Nonreceipt of a late charge and/or application fee;

(c) Any evidence or complaint which verifies that employees of the sprinkler system inspection and testing contractor have performed inspection and testing technician work without being certified by the chief of the Washington state patrol, through the director of fire protection;

(d) Failure to comply with the bonding requirements of chapter 18.160 RCW; and

(e) Failure to obtain or show evidence of having at least one full-time certified sprinkler system inspection and testing technician.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-150, filed 8/16/05, effective 9/16/05.]

WAC 212-80-155 Sprinkler system inspection and testing contractor—Prorated fees. The initial license fee shall be prorated based upon the portion of the year such license is in effect. This is allowed only once in the history of the company.

EXCEPTION: Any sprinkler system inspection and testing contracting company who is required to be licensed as a sprinkler system inspection and testing contractor with the chief of the Washington state patrol, through the director of fire protection, after performing work covered by this chapter and chapter 18.160 RCW shall be required to pay the full annual licensing fee, in addition to any penalties assessed by the chief of the Washington state patrol, through the director of fire protection, for unlicensed operation(s).

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-155, filed 8/16/05, effective 9/16/05.]

WAC 212-80-160 Sprinkler system inspection and testing contractor—Surety bonds. (1) The chief of the Washington state patrol, through the director of fire protection, shall not issue a license under this regulation unless the sprinkler system inspection and testing contractor has in their possession and files with the chief of the Washington state patrol, through the director of fire protection, a surety bond executed by a surety company authorized to do business in the state of Washington in the sum of six thousand dollars, conditioned to compensate third-party losses caused by the acts of the principal or the principal's servant, officer, agent, or employee in conducting the business registered or licensed under this regulation.

(2) Upon approval by the chief of the Washington state patrol, through the director of fire protection, property or

(2007 Ed.)

cash may substitute for a surety bond provided the value is at least six thousand dollars and the property or cash is not otherwise encumbered. The value of property shall be determined by an appraiser selected by the chief of the Washington state patrol, through the director of fire protection. All appraisal fees shall be paid by the sprinkler system inspection and testing contractor.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-160, filed 8/16/05, effective 9/16/05.]

INSPECTION AND TESTING TECHNICIAN

WAC 212-80-165 Inspection and testing of water based fire protection systems. (1) All inspection and testing certificates, documentation, and/or other such records of work shall have affixed to them the inspection and testing technician number as provided by the chief of the Washington state patrol, through the director of fire protection, and shall possess the signature of the inspection and testing technician and the date of signature.

(2) Under no condition shall any employee working for a sprinkler system inspection and testing contractor perform any inspection and testing work on a water based fire protection system unless they possess certification as a competent inspection and testing technician by the chief of the Washington state patrol, through the director of fire protection.

(3) Wallet cards shall be issued by the chief of the Washington state patrol, through the director of fire protection, and shall contain the name and technician number of the inspection and testing technician, the expiration date of the current certification, a place for the signature of the inspection and testing technician, and the date of the signature.

(4) An original signature shall appear on each page of documentation for all inspection and testing certificates for water based fire protection sprinkler systems conducted by the inspection and testing technician.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-165, filed 8/16/05, effective 9/16/05.]

WAC 212-80-170 Inspection and testing technicians—Work allowed by this certification. (1) Possessing certification as an inspection and testing technician from the chief of the Washington state patrol, through the director of fire protection, shall allow an individual to perform only inspection and testing of water based fire protection systems, with the exception of preaction, deluge, or systems with fire pumps.

(2) All inspection and testing certificates shall be signed by an inspection and testing technician possessing the proper certification by the chief of the Washington state patrol, through the director of fire protection.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-170, filed 8/16/05, effective 9/16/05.]

WAC 212-80-175 Inspection and testing technician—Certification. To become an inspection and testing technician under this regulation, an applicant must:

(1) Possess a National Institute for Certification in Engineering Technologies Inspection, Testing and Maintenance Level 2 or Level 3 certification; or

(2) Demonstrate satisfactory completion of educational elements as specified by the chief of the Washington state patrol, through the director of fire protection, through the National Institute for Certification in Engineering Technologies.

(3) Provided the application for the inspection and testing technician certification is made prior to ninety days after final adoption of this rule, the chief of the Washington state patrol, through the director of fire protection, may in lieu of the examination requirements for an inspection and testing technician, issue a temporary inspection and testing technician certification. The terms for this temporary certification shall be as follows:

(a) The employer of each applicant must provide notarized affidavits and proper documentation attesting that in the last three years the applicant has had a minimum of four thousand hours experience in the installation, inspection, and/or testing of fire sprinkler systems. Each application will be reviewed by the chief of the Washington state patrol, through the director of fire protection, and those found satisfactory shall be appointed a base time of one certification year as a temporary inspection and testing technician.

(b) Before the renewal of any temporary inspection and testing technician certification, the individual shall submit to the chief of the Washington state patrol, through the director of fire protection, sufficient evidence of a good faith effort in attaining certification as an inspection and testing technician as described in subsection (1) or (2) of this section. Such evidence shall qualify the temporary inspection and testing technician for an extension as a temporary inspection and testing technician for not more than a single-certification-year.

(c) No temporary inspection and testing technician shall be allowed more than one base certification year. No temporary inspection and testing technician shall be allowed more than two single-certification-year extensions as a temporary inspection and testing technician. No single-certification-year extension will be issued without first providing evidence of a good faith effort in attempting to attain certification as an inspection and testing technician as described in subsection (1) or (2) of this section. No individual shall possess temporary inspection and testing technician certification for a period of more than three certification-years in the life of the individual, which must be consecutive in nature.

(d) At the end of the base year or any extensions, the temporary inspection and testing technician may provide to the chief of the Washington state patrol, through the director of fire protection, satisfactory evidence of attaining certification as an inspection and testing technician as described in subsection (1) or (2) of this section. Such evidence shall qualify the individual to become an inspection and testing technician.

(e) Any temporary inspection and testing technician who fails to meet the qualifications described in subsection (1) or (2) of this section after the expiration of either their temporary status, or who does not show satisfactory evidence qualifying them for any of two one-certification-year extensions as described in (c) of this subsection, shall not be renewed as a temporary inspection and testing technician and not allowed to continue performing such work until such time as they meet the qualification requirements described in subsection (1) or (2) of this section.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-175, filed 8/16/05, effective 9/16/05.]

WAC 212-80-180 Application/fees for inspection and testing technician certification. Every applicant for certification as an inspection and testing technician shall apply to the chief of the Washington state patrol, through the director of fire protection, on application forms provided and pay the fees required.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-180, filed 8/16/05, effective 9/16/05.]

WAC 212-80-185 Inspection and testing technician certification not transferable. An inspection and testing technician certification issued under this regulation is not transferable. This certification can, however, follow the inspection and testing technician to another employer provided that employer is currently licensed by this office for work covered by this certification.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-185, filed 8/16/05, effective 9/16/05.]

WAC 212-80-188 Inspection and testing technician employment. (1) In no case shall an inspection and testing technician be employed full time by more than one fire protection sprinkler system contractor at the same time.

(2) If the inspection and testing technician should leave the employment of the fire protection sprinkler system contractor, he or she shall notify the chief of the Washington state patrol, through the director of fire protection, within thirty days of the last day of employment.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-188, filed 8/16/05, effective 9/16/05.]

WAC 212-80-190 Inspection and testing technician renewal certificates. (1) All inspection and testing technicians who desire to maintain a current certificate shall, prior to January 1 of each year, apply for renewal to the chief of the Washington state patrol, through the director of fire protection, on the appropriate form along with the required fees as prescribed by the chief of the Washington state patrol, through the director of fire protection.

(2) Application for renewal forms shall be provided by the chief of the Washington state patrol, through the director of fire protection, upon request, and the technician shall furnish the information required by the chief of the Washington state patrol, through the director of fire protection.

(3) The chief of the Washington state patrol, through the director of fire protection, may suspend the inspection and testing technician certification for failure to apply for a renewal of their technician certificate within sixty days after the expiration date.

(4) The chief of the Washington state patrol, through the director of fire protection, upon receipt of payment for all delinquent fees and a late charge may restore an inspection and testing technician certification that had been suspended.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-190, filed 8/16/05, effective 9/16/05.]

WAC 212-80-195 Inspection and testing technician—Prorated fees. The initial inspection and testing technician

nician fee shall be prorated based upon the portion of the year such certification is in effect, prior to renewal on January 1.

EXCEPTION: Any individual who attempts to certify with the chief of the Washington state patrol, through the director of fire protection, as an inspection and testing technician after performing work covered by this chapter and chapter 18.160 RCW shall be required to pay the full annual certification fees, in addition to any penalties assessed by the chief of the Washington state patrol, through the director of fire protection, for uncertified operation(s).

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-195, filed 8/16/05, effective 9/16/05.]

REVOCATION OF LICENSE/CERTIFICATE

WAC 212-80-200 Suspension or revocation of licenses. (1) The chief of the Washington state patrol, through the director of fire protection may refuse to issue or renew or may suspend or revoke the privilege of a licensed fire protection sprinkler system contractor or the license of an inspection and testing contractor to engage in the fire protection sprinkler system business or may establish penalties as prescribed by Washington state law for any of the following reasons:

(a) Gross incompetency or gross negligence in the preparation of layout drawings, installation, repair, alteration, maintenance, inspection, service, or addition to fire protection sprinkler systems.

(b) Conviction of a felony.

(c) Fraudulent or dishonest practices while engaging in the fire protection sprinkler systems business.

(d) Use of false evidence or misrepresentation in an application for a license.

(e) Permitting his or her license to be used in connection with the installation of any system when such installation is not under his or her supervision, or in violation of this regulation.

(f) Knowingly violating any provisions of this regulation or chapter 18.160 RCW.

(2) The chief of the Washington state patrol, through the director of fire protection shall revoke the license of a licensed fire protection sprinkler system contractor or an inspection and testing contractor who engages in the fire protection sprinkler system business while the license is suspended.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-200, filed 8/16/05, effective 9/16/05; 05-05-006, amended and recodified as § 212-80-200, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-135, filed 12/1/94, effective 1/1/95; 91-14-086 (Order 91-06), § 212-80-135, filed 7/1/91, effective 8/1/91.]

WAC 212-80-205 Suspension or revocation of certificates. (1) The chief of the Washington state patrol, through the director of fire protection may refuse to issue or renew or may suspend or revoke the privilege of a certificate of competency holder as defined in RCW 18.160.101(1) or of a state certified fire sprinkler system inspection and testing technician, as defined in WAC 212-80-010, to engage in the fire protection sprinkler system business or may establish penalties as prescribed by Washington state law for any of the following reasons:

(a) Gross incompetency or gross negligence in the preparation of layout drawings, installation, repair, alteration, maintenance, inspection, service, or addition to fire protection sprinkler systems.

(b) Conviction of a felony.

(c) Fraudulent or dishonest practices while engaging in the fire protection sprinkler systems business.

(d) Use of false evidence or misrepresentation in an application for a certificate of competency.

(e) Permitting his or her certificate to be used in connection with the preparation of any layout drawings, installation, maintenance, inspection, service or certification of any system when such activity is not under his or her supervision, or in violation of this regulation.

(f) Knowingly violating any provisions of this regulation or chapter 18.160 RCW.

(2) The chief of the Washington state patrol, through the director of fire protection shall revoke the certificate of a certificate of competency holder or a state certified fire sprinkler inspection and testing technician who engages in the fire protection sprinkler system business while the certificate of competency is suspended.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-205, filed 8/16/05, effective 9/16/05; 05-05-006, amended and recodified as § 212-80-205, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. 94-24-032, § 212-80-065, filed 12/1/94, effective 1/1/95; 92-20-070 (Order 92-08), § 212-80-065, filed 10/5/92, effective 11/5/92; 91-14-086 (Order 91-06), § 212-80-065, filed 7/1/91, effective 8/1/91.]

CIVIL PENALTIES AND FINES

WAC 212-80-210 Imposing citations and civil penalties. The chief of the Washington state patrol, through the director of fire protection, may impose civil penalties and/or fines to any licensed company or certified individual who violates any provision of chapter 18.160 RCW or this chapter. Moreover, the chief of the Washington state patrol, through the director of fire protection, may impose the civil penalties and/or fines listed herein to any unlicensed company or uncertified individual who operates in the state of Washington as a licensed company and/or certified individual.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-210, filed 2/4/05, effective 3/7/05.]

WAC 212-80-215 Citations and penalties. (1) These rules establish the basis and process by which the citations and penalties will be determined and issued for violations of chapter 18.160 RCW and/or chapter 212-80 WAC.

(2) Each violation is classified and penalties assessed according to the violation type and instance as defined by this chapter.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-215, filed 2/4/05, effective 3/7/05.]

WAC 212-80-220 General rules of citations and penalties. (1) These rules establish civil penalty criteria for violation Types I, II, and III and the instances for each type of violation.

(2) These rules apply to persons who violate the intent, chapter, and requirements of chapter 18.160 RCW and/or chapter 212-80 WAC.

(3) Each separate instance of noncompliance with chapter 18.160 RCW and/or chapter 212-80 WAC shall be considered a separate violation.

(4) Each day the violation continues may be considered a separate violation.

(5) In addition to the issuance of citations and/or penalties, the chief of the Washington state patrol, through the director of fire protection, may also revoke, suspend, and/or deny the renewal of any license or certificate issued under chapter 18.160 RCW to person(s) and/or company(ies) who fails to pay any penalties assessed under these rules. Such action does not preclude the chief of the Washington state patrol, through the director of fire protection, from assessing further violations for unlicensed and/or uncertified operations.

(6) The penalty for each violation shall range from \$0.00 to \$5,000.00 per day per violation per occurrence.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-220, filed 2/4/05, effective 3/7/05.]

WAC 212-80-225 Violation types, instances, and penalty assessments. (1) Penalties shall be assessed according to the violation type.

(2) The violation types are as follows:

- (a) Minimal - Type I;
- (b) Moderate - Type II; and
- (c) Severe - Type III.

(3) The instances are as follows:

(a) 1st - The first time the individual, person, and/or company is in violation of chapter 18.160 RCW and/or chapter 212-80 WAC in any one calendar year, regardless of the number of individual violations or the duration of them;

(b) 2nd - The second time the individual, person, and/or company is in violation of chapter 18.160 RCW and/or chapter 212-80 WAC in any one calendar year, regardless of the number of individual violations or the duration of them; and

(c) 3rd - The third time the individual, person and/or company is in violation of chapter 18.160 RCW and/or chapter 212-80 WAC in any one calendar year, regardless of the number of individual violations or the duration of them.

(4) In the event of a fourth instance in any one calendar year, that company and/or individual will no longer be allowed to work in the sprinkler field in the state of Washington. This decision may be appealed, pursuant to RCW 74.20A.320.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-225, filed 2/4/05, effective 3/7/05.]

WAC 212-80-230 Hearings. (1) Any person may request a hearing regarding the assessment of a civil penalty.

(2) Hearings requests shall be filed with the chief of the Washington state patrol, through the director of fire protection, within thirty days of the date of the service of a civil penalty.

(3) Any person who requests a hearing shall be entitled to a hearing.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-230, filed 2/4/05, effective 3/7/05.]

[Title 212 WAC—p. 86]

WAC 212-80-235 Informal conference. (1) The chief of the Washington state patrol, through the director of fire protection, will provide an opportunity for a person to informally discuss a civil penalty that has been assessed against them.

(2) An informal conference may be requested prior to a request for a formal hearing. However, it shall not exceed nor extend their thirty-day timeline allotted for the request of a formal hearing - regardless of the outcome.

(3) The request for an informal hearing may be in any form and:

(a) Shall be addressed to the chief of the Washington state patrol, through the director of fire protection; and

(b) Clearly state the subject to be discussed.

(4) As a result of an informal conference, the chief of the Washington state patrol, through the director of fire protection, may for good cause choose to amend, withdraw, or reduce the civil penalty.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-235, filed 2/4/05, effective 3/7/05.]

WAC 212-80-240 Formal hearing. (1) A person may request a formal hearing at any time before or after the request of an informal conference, as long as the thirty day period allotted has not elapsed.

(2) The chief of the Washington state patrol, through the director of fire protection, will arrange for a hearings officer to conduct the formal hearing.

(3) The chief of the Washington state patrol, through the director of fire protection, will set a date, time, and location for the formal hearing.

(4) The chief of the Washington state patrol, through the director of fire protection, will notify by letter the person requesting the hearing (or their designated representative) of the date, time, location, and hearings officer conducting the formal hearing.

(5) The hearings officer will hear the case and, within ninety days of the hearing, render a proposed opinion and order including recommended findings of fact and conclusions of law, according to chapter 34.05 RCW.

(6) The formal hearing shall be conducted as follows:

(a) The hearings officer will act as an impartial third party.

(b) It is not necessary for the person who requested the hearing to be represented by legal council.

(c) An official record shall be made through a scribe.

(d) Testimony shall be taken under oath.

(e) All evidence of a type commonly relied upon by a reasonably prudent person in the conduct of their serious affairs is admissible.

(f) Hearsay evidence is admissible if it meets the statutory standards for being reliable and trustworthy.

(g) A proposed opinion and order will be provided.

(7) The proposed opinion and order shall be reviewed by the chief of the Washington state patrol, through the director of fire protection, and if accepted be finalized and issued as a final order.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-240, filed 2/4/05, effective 3/7/05.]

WAC 212-80-245 Penalty adjustments. (1) The assessment of adjustment of penalties for amounts other than those set by chapter 18.160 RCW shall be done only by the chief of the Washington state patrol, through the director of fire protection, through a hearings process either formally or informally.

(2) The assessment of penalties for not being in conformance with chapter 18.160 RCW and/or chapter 212-80 WAC may be made only after considering:

- (a) The gravity and magnitude of the violation.
- (b) The person's previous record.
- (c) Such other considerations as the chief of the Washington state patrol, through the director of fire protection, may consider appropriate.

(3) During a formal hearing or informal conference, the chief of the Washington state patrol, through the director of fire protection, may modify or adjust the citation, cited violations, and/or penalties assessed in order to meet the requirements of these rules and to ensure uniformity and consistency in their application statewide.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-245, filed 2/4/05, effective 3/7/05.]

WAC 212-80-250 Payment of civil penalty. (1) The penalty shall be paid to the chief of the Washington state patrol, through the director of fire protection, within twenty-eight days after an order assessing a civil penalty becomes final by operation of law or on an appeal.

(2) The attorney general may bring an action in the name of the chief of the Washington state patrol, through the director of fire protection, in the superior court of Thurston County or of any county in which the violator may do business to collect any penalty imposed under chapter 18.160 RCW.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-250, filed 2/4/05, effective 3/7/05.]

WAC 212-80-255 Type I (minimal) violations. (1) Type I violations are subject to penalties ranging from a warning to two hundred dollars a day depending upon the instance and in accordance with chapter 212-80 WAC.

(2) Examples of Type I violations include, but are not limited to:

- (a) Failing to inform the chief of the Washington state patrol, through the director of fire protection, of the loss of their primary certificate of competency holder, as required by RCW 18.160.40.
- (b) Failing to have the certificate of competency holder stamp plans, calculations, and/or test certificates.
- (c) Allowing an employee to certify, install, inspect, maintain, and/or service water based fire sprinkler systems or equipment contrary to NFPA codes, standards, or manufacturers' specifications without specific written permission from the local authority having jurisdiction.
- (d) Working without a permit, or permission to do so, by the local authority having jurisdiction.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-255, filed 2/4/05, effective 3/7/05.]

WAC 212-80-260 Type II (moderate) violations. (1) Type II violations are subject to penalties ranging from two (2007 Ed.)

hundred dollars to five hundred dollars a day depending upon instance and in accordance with chapter 212-80 WAC.

(2) Examples of Type II violations include, but are not limited to:

- (a) Performing work on a sprinkler system where the employee's certificate of competency holder under RCW 18.160.40 does not have a current or valid license.
- (b) Working without the appropriate level of license or certificate of competency.
- (c) Permitting his or her license to be used in connection with the preparation of any technical drawings that have not been prepared by him or her personally, or under their direct supervision.
- (d) Working with an expired license or permit (more than ninety days).

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-05-006, § 212-80-260, filed 2/4/05, effective 3/7/05.]

WAC 212-80-265 Type III (serious) violations. (1) Type III violations are subject to penalties ranging from five hundred dollars to five thousand dollars a day depending on instance and in accordance with chapter 212-80 WAC.

(2) Examples of Type III violations include, but are not limited to:

- (a) Demonstrating gross incompetency or gross negligence in the preparation of technical drawings, the installation, inspection, testing, maintenance, repair, alteration, service, and/or addition to a fire sprinkler system.
- (b) Allowing an employee to demonstrate gross incompetency or gross negligence in the installation, inspection, testing, maintenance, repair, alteration, service and/or addition to a fire sprinkler system.
- (c) Charging a customer for fire sprinkler work not performed.
- (d) Offering to contract for fire sprinkler work without a certificate of competency holder, as described in RCW 18.160.040.
- (e) Allowing an employee to falsify any fire sprinkler tags, labels, or inspection reports.
- (f) Working without a certified full-time certificate of competency holder on staff, or, in the case of an inspection and testing contractor, allowing any employee not certified by the chief of the Washington state patrol, through the director of fire protection, as an inspection and testing technician.
- (g) Falsifying an application or document submitted to the chief of the Washington state patrol, through the director of fire protection, to obtain a sprinkler contractor license or certificate of competency.
- (h) Committing three or more Level II offenses within a three year period either as a company, through an employee of the company, through an employee acting as a certificate of competency holder for the company, and/or any combination thereof.
- (i) Permitting his or her license to be used in connection with the stamping of any test certificates for work performed by someone other than his or her full-time employees.

[Statutory Authority: Chapters 43.43 and 18.160 RCW. 05-17-099, § 212-80-265, filed 8/16/05, effective 9/16/05; 05-05-006, § 212-80-265, filed 2/4/05, effective 3/7/05.]